



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3227

DATE FILMED 8/13/91 CAMERA NO. 4

CAMERAMAN AS

91040354901

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 15 November 1990

ANALYST: Karen White

I. COMMITTEE: Fred Lockwood for Congress (C00239111)
Rick A. Morehouse, Treasurer
P.O. Box 535
Gering, NE 69341

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(6)
11 CFR §104.5(f)

III. BACKGROUND:

Failure to File Forty-Eight Hour Notifications

The Fred Lockwood for Congress committee ("the Committee") has failed to file the required Forty-Eight (48) Hour Notifications ("48-Hour Notices") for three (3) contributions/loans totaling \$68,000 received prior to the 1990 Primary Election.

The candidate was involved in the 1990 Primary Election held on May 15, 1990. Prior Notice was sent to the Committee on April 9, 1990 (Attachment 2). The Notice includes a section titled "Last-Minute Contributions". This section reads "Committees must also file special notices on contributions of \$1,000 or more, received during the period April 26 through May 12, 1990. The notice must reach the appropriate federal and state offices within 48 hours of the committee's receipt."

Schedules A and C of the 1990 July Quarterly Report indicate that the Committee failed to file three (3) 48-Hour Notices for contributions/loans received during the aforementioned reporting period (Attachment 3). The following is a list of the contributions/loans for which no 48-Hour Notices were filed:

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Fred A. Lockwood (contributor)	5/7/90	\$26,000
(guarantor of a bank loan)	5/2/90	6,000
(guarantor of a bank loan)	5/5/90	36,000

21040354902

FRED LOCKWOOD FOR CONGRESS
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

On September 11, 1990, a Request for Additional Information ("RFAI") was sent to the Committee (Attachment 4). The RFAI noted on an informational basis that the Committee may have failed to file one or more of the required 48-Hour Notices for "last minute" contributions of \$1,000 or more. The notice requested the Committee to review their procedures for checking contributions received during the aforementioned time period. In addition, the notice stated that although the Commission may take legal steps, any response would be taken into consideration.

On October 3, 1990 and October 16, 1990, the Committee responded, but failed to address this issue (Attachments 5 and 6).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

91040354903

FEDERAL ELECTION COMMISSION
1989-1990
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 5NOV90

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
LOCKMOOD, FRED		HOUSE 03 REPUBLICAN PARTY			NEBRASKA		1990 ELECTION	ID# HONE03068	
1. STATEMENT OF CANDIDATE									
1989 STATEMENT OF CANDIDATE							16OCT89	1	89HSE/385/3168
2. PRINCIPAL CAMPAIGN COMMITTEE									
FRED LOCKMOOD FOR CONGRESS							ID #C00239111	HOUSE	
1989 STATEMENT OF ORGANIZATION							16OCT89	1	89HSE/385/3169
YEAR-END			31,516	19,412			16OCT89 -31DEC89	16	90HSE/390/1778
1990 APRIL QUARTERLY			171,697	176,765			1JAN90 -31MAR90	15	90HSE/395/5177
APRIL QUARTERLY - AMENDMENT			-	-			1JAN90 -31MAR90	5	90HSE/399/2448
REQUEST FOR ADDITIONAL INFORMATION							1JAN90 -31MAR90	2	90FEC/642/0121
PRE-PRIMARY			78,306	70,384			1APR90 -25APR90	13	90HSE/397/2056
PRE-PRIMARY - AMENDMENT			-	-			1APR90 -25APR90	4	90HSE/399/2584
PRE-PRIMARY - AMENDMENT			-	-			1APR90 -25APR90	1	90HSE/408/2940
REQUEST FOR ADDITIONAL INFORMATION							1APR90 -25APR90	2	90FEC/643/0093
JULY QUARTERLY			121,921	136,532			26APR90 -30JUN90	15	90HSE/402/4309
JULY QUARTERLY - AMENDMENT			121,921	136,532			26APR90 -30JUN90	3	90HSE/410/3814
JULY QUARTERLY - AMENDMENT			-	-			26APR90 -30JUN90	2	90HSE/408/2938
REQUEST FOR ADDITIONAL INFORMATION							26APR90 -30JUN90	2	90FEC/655/1509
REQUEST FOR ADDITIONAL INFORMATION 2ND							26APR90 -30JUN90	3	90FEC/658/0623
OCTOBER QUARTERLY			47,713	47,980			1JUL90 -30SEP90	9	90HSE/410/4330
TOTAL			451,153	0	451,073	0		93	TOTAL PAGES
3. AUTHORIZED COMMITTEES									
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN									

All reports except the 1990 October Quarterly Report have been reviewed.
Cash-on-hand as of 9/30/90 \$ 80.00
Debts owed by Committee as of 9/30/90 \$192,000.00

21040354904

PRIMARY ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

NEBRASKA

April 9, 1990

REPORT	REPORTING PERIOD ¹ /	REG./CERT. MAILING DATE ² /	FILING DATE
PRE-PRIMARY	04/01/90 - 04/25/90	04/30/90	05/03/90
JULY QUARTERLY	04/26/90 - 06/30/90	07/15/90	07/15/90

WHO MUST FILE

PRINCIPAL CAMPAIGN COMMITTEES OF CONGRESSIONAL "CANDIDATES" who seek nomination in the May 15, 1990, Nebraska Primary.

WHAT MUST BE REPORTED

All financial activity that occurred during the reporting period (or before, if not previously reported).

REPORTING FORMS

Candidate committees use Form 3 (enclosed). If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 32.

WHERE TO FILE

Consult the instructions on the back of the Form 3 Summary Page. Note state filing requirements also.

LABEL

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

LAST-MINUTE CONTRIBUTIONS

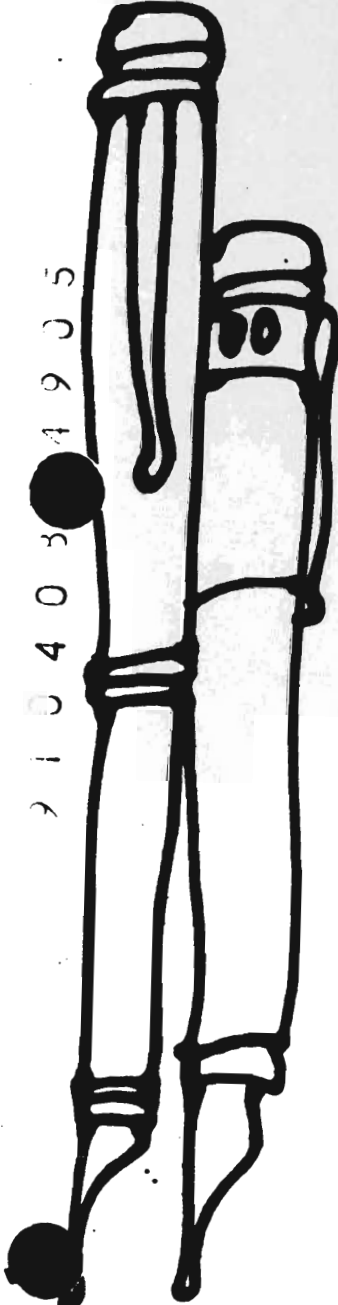
Committees must also file special notices on contributions of \$1,000 or more, received during the period April 26 through May 12, 1990. The notice must reach the appropriate federal and state offices within 48 hours of the committee's receipt.

COMPLIANCE

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

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

2/Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.



2104034905

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule(s)
for each category of the
Detailed Summary PagePAGE 1 OF 1
FORM LINE NUMBER
11 d

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

NAME OF COMMITTEE (in Full)

Fred Lockwood for Congress

A. Full Name, Mailing Address and ZIP Code

Fred A. Lockwood
2820 Applewood Rd.
Gering, NE 69341

Name of Employer

Fred A. Lockwood & Co.,
P.C.Date (month,
day, year)

5/7/90

Amount of Each
Receipt this Period

26,000.00

Receipt For

☒ Primary☐ General

Other (specify):

Occupation

CPA

Aggregate Year-to-Date \$ 26,000.00

B. Full Name, Mailing Address and ZIP Code

Fred A. Lockwood
2820 Applewood Rd.
ing, NE 69341

Name of Employer

Fred A. Lockwood & Co.,
P.C.Date (month,
day, year)

5/21/90

Amount of Each
Receipt this Period

5,000.00

Receipt For

☒ Primary☐ General

Other (specify):

Occupation

CPA

Aggregate Year-to-Date \$ 31,000.00

C. Full Name, Mailing Address and ZIP Code

Fred A. Lockwood
2820 Applewood Rd.
Gering, NE 69341

Name of Employer

Fred A. Lockwood & Co.,
P.C.Date (month,
day, year)

6/1/90

Amount of Each
Receipt this Period

40,000.00

Receipt For

☒ Primary☐ General

Other (specify):

Occupation

CPA

Aggregate Year-to-Date \$ 71,000.00

D. Full Name, Mailing Address and ZIP Code

Fred A. Lockwood
2820 Applewood Rd.
Gering, NE 69341

Name of Employer

Fred A. Lockwood & Co.,
P.C.Date (month,
day, year)

6/19/90

Amount of Each
Receipt this Period

1,000.00

Receipt For

☒ Primary☐ General

Other (specify):

Occupation

CPA

Aggregate Year-to-Date \$

E. Full Name, Mailing Address and ZIP Code

Fred A. Lockwood
2820 Applewood Rd.
Gering, NE 69341

Name of Employer

Fred A. Lockwood & Co.,
P.C.Date (month,
day, year)

6/30/90

Amount of Each
Receipt this Period

400.00

Receipt For

☒ Primary☐ General

Other (specify):

Occupation

CPA

Aggregate Year-to-Date \$

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Receipt For

☐ Primary☐ General

Other (specify):

Occupation

Aggregate Year-to-Date \$

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Receipt For

☐ Primary☐ General

Other (specify):

Occupation

Aggregate Year-to-Date \$

SHORT TOTAL - Receipts This Page (bottom line)

TOTAL This Page (last page this line number only)

12,400.00

SCHEDULE A

ITEMIZED RECEIPTS

Attachment 3 Page 2 of 3

Use separate schedules for each category of the Detailed Summary Page

PAGE 1 OF 1
FORM LINE NUMBER 12 b

Any information copied from each Report and Statement 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)

Fred Lockwood for Congress

A Full Name, Mailing Address and ZIP Code

**FirstTier Bank - Gering
P.O. Box 1708
Scottsbluff, NE 69363**

Name of Employer

N/A

Date (month, day, year)

5/2/90

Amount of Each Receipt this Period

6,000.00

Occupation

Receipt For

☒ Primary

☐ General

(Other (specify))

Aggregate Year-to-Date

\$114,000.00

B Full Name, Mailing Address and ZIP Code

**FirstTier Bank - Gering
P.O. Box 1708
tsbluff, NE 69363**

Name of Employer

N/A

Date (month, day, year)

5/5/90

Amount of Each Receipt this Period

36,000.00

Occupation

Receipt For

☒ Primary

☐ General

(Other (specify))

Aggregate Year-to-Date

\$150,000.00

C Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Receipt For

☐ Primary

☐ General

(Other (specify))

Aggregate Year-to-Date

\$

D Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Receipt For

☐ Primary

☐ General

(Other (specify))

Aggregate Year-to-Date

\$

E Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Receipt For

☐ Primary

☐ General

(Other (specify))

Aggregate Year-to-Date

\$

F Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Receipt For

☐ Primary

☐ General

(Other (specify))

Aggregate Year-to-Date

\$

G Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month, day, year)

Amount of Each Receipt this Period

Occupation

Receipt For

☐ Primary

☐ General

(Other (specify))

Aggregate Year-to-Date

\$

21040894927 KW

Submit this form to the Federal Election Commission

Form 12b-1 (Rev. 10-1-89) (Use only this line number only)

12b-1

SCHEDULE C
 (Revised 3/80)

LOANS

 Rep. J. or J. for
 LMS 8/1/88: 1. In
 the separate column, in
 for each numbered line

Name of Committee (in Full) FRED LOCKWOOD FOR CONGRESS			
A. Full Name, Mailing Address and ZIP Code of Loan Source Fred A. Lockwood 2820 Applewood Road Gering, NE 69341		Original Amount of Loan 120,000.00	Balance Outstanding at Close of This Period 120,000.00
Election ☐ Primary ☐ General ☐ Other (specify)		Cumulative Payments To Date -0-	
Terms Date Incurred VARIOUS Date Due JUNE 30, '90 Interest Rate 0 % Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code All funds personal funds of candidate		Name of Employer 	KW
		Occupation 	
		Amount Guaranteed Outstanding 0	
2. Full Name, Mailing Address and ZIP Code 		Name of Employer 	KW
		Occupation 	
		Amount Guaranteed Outstanding 0	
3. Full Name, Mailing Address and ZIP Code 		Name of Employer 	KW
		Occupation 	
		Amount Guaranteed Outstanding 0	
B. Full Name, Mailing Address and ZIP Code of Loan Source Firstier Bank-Gering P. O. Box 1708 Scottsbluff, NE 69361		Original Amount of Loan 150,000.00	Balance Outstanding at Close of This Period 110,000.00
Election ☐ Primary ☐ General ☐ Other (specify)		Cumulative Payments To Date 40,000.00	
Terms Date Incurred VARIOUS Date Due 12/11/90 Interest Rate 11.5 % Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code Fred A. Lockwood 2820 Applewood Road Gering, NE 69341		Name of Employer Fred A. Lockwood & Co., P.C.	KW
		Occupation CEA	
		Amount Guaranteed Outstanding 0 110,000.00	
2. Full Name, Mailing Address and ZIP Code 		Name of Employer 	KW
		Occupation 	
		Amount Guaranteed Outstanding 0	
3. Full Name, Mailing Address and ZIP Code 		Name of Employer 	KW
		Occupation 	
		Amount Guaranteed Outstanding 0	
SUBTOTALS This Period This Page (optional)			
TOTAL This Period (last page in this line only)			
Carry outstanding balance only to LINE 2, Schedule D, for the line. If no Schedule D, carry forward to appropriate line of Summary			



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

RG-2

SEP 11 1990

Rick A. Morehouse, Treasurer
Fred Lockwood for Congress
P.O. Box 535
Gering, NE 69341

Identification Number: C00239111

Reference: July Quarterly Report (4/26/90-6/30/90)

Dear Mr. Morehouse:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Line 11(a)(i), Column A, of the Detailed Summary Page discloses \$3,946.50 in receipts. Schedule A supporting Line 11(a)(i) itemizes \$2,337.00 in receipts. These figures should be the same. Please amend your report to explain the difference. (11 CFR §104.3(a))

-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to make concerning this matter will be taken into consideration. (11 CFR §104.5(f))

KW

-Please provide a Schedule B to support the amount reported on Line 19(b), Column A, of the Detailed Summary Page. Each loan repayment made by the committee must be itemized on a supporting Schedule B, regardless of the amount of the repayment. (11 CFR §104.5(b)(4)(iii) and (iv))

91340354909

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Karen White

Karen W. White
Reports Analyst
Reports Analysis Division

91040354910

1990 SEP 28 7:54

REGULAR MAIL

SEP 28 1990



Fred Lockwood For Congress

P.O. Box 45, Scottsbluff, NE 69363

September 28, 1990

132512

Office of the Clerk
U.S. House of Representatives
Washington, DC 20515-6601

Enclosed please find a separate supporting Schedule B to show the loan repayment on line 19(b) of the Detailed Summary Page.

We apologize for any inconvenience this may have caused. If you have questions, please contact me at (308)436-5081.

Very truly yours,

Rick A. Morehouse
Rick A. Morehouse
Treasurer

RAM/ck

Enclosures

FV

SCHEDULE C

ITEMIZED DISBURSEMENTS

See amount scheduled for each category of the Budgetary Page

PAGE	27
FOR LINE NUMBER	195

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 person connected to solicit contributions from such persons.

NAME OF COMMITTEE in Full

Fred Lockwood for Congress

C0023911

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☒ Primary ☐ General ☐ Other (specify)		
FirstTier Bank P.O. Box 1700 Scottsbluff, NE 69361	Loan Repayment	06/01/90	\$ 40,000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this line number only)

90014082939

REGULAR MAIL

Attachment 6
Page 1 of 3

OCT 11 1990

Lockwood
Congress
3rd District

U.S. HOUSE OF REPRESENTATIVES
1990 OCT 16 AM 11:42
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

Fred Lockwood For Congress
P.O. Box 45, Scottsdale, AZ 85261

October 11, 1990

Clerk of the House of Representatives
336 Lungworth House Office Building
Washington, DC 20515

132373

Reference: FRED LOCKWOOD FOR CONGRESS C0023911
July Quarterly Report (4/26/90-6/20/90)

In response to your letter, the following explanations are being submitted:

- Line 11 (a)(i), Column A, of the Detailed Summary Page: Lines (ii) and (i) were reversed by mistake. Please see enclosed corrected form.

- Schedule B to support line 19(b) Column A of the Detailed Summary Page is enclosed showing the \$40,000 loan repayment.

If you have questions or need further information, please contact me at (308) 436-5081.

Very truly yours,

Rick A. Morehouse
Rick A. Morehouse
Treasurer

RAM:mef

Enclosures

FBI

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

NOV 16 1990
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

Name of Committee (in full) WEND LOGGWOOD FOR CONGRESS		Report Covering the Period From: APR 11, 1989 To: JUNE 30, 1990	
I. INCOME		Total This Period	Calendar Year-To-Date
VI. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees			
(1) Solicited (see Schedule A)		2,337.00	
(2) Unsolicited		3,044.50	
(3) Total of contributions from individuals		5,381.50	27,970.50
(b) Political Party Committees			
(c) Other Political Committees (such as PACs)		850.00	850.00
(d) The Candidate		72,400.00	72,400.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(1)-(4), 11(b) and 11(c))		79,532.50	101,220.50
VII. GIFTS FROM OTHER AUTHORIZED COMMITTEES			
12. LOANS:			
(a) Made or Guaranteed by the Candidate			120,000.00
(b) All Other Loans		40,000.00	150,000.00
(c) TOTAL LOANS (add 12(a) and 12(b))		40,000.00	270,000.00
14. OFFSETS TO OPERATING EXPENDITURES (Schedule B, Part 1, 100)			
		351.92	351.92
15. OTHER RECEIPTS (Dividends, Interest, etc.)			
		36.16	352.99
16. TOTAL RECEIPTS (add 11(a), 12, 13(a), 14 and 15)		121,921.98	371,925.41
II. DISBURSEMENTS			
17. OPERATING EXPENDITURES		96,532.48	343,683.14
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES			
19. LOAN REPAYMENTS:			
(a) Of Loans Made or Guaranteed by the Candidate			
(b) Of All Other Loans		40,000.00	40,000.00
(c) TOTAL LOAN REPAYMENTS (add 19(a) and 19(b))			
20. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees			
(b) Political Party Committees			
(c) Other Political Committees (such as PACs)			
(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))			
21. OTHER DISBURSEMENTS			
22. TOTAL DISBURSEMENTS (add 17, 18, 19(a), 20(a) and 21)		136,532.48	383,683.14

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD	\$	14,957.80	23
24. TOTAL RECEIPTS THIS PERIOD (from Line 16)	\$	121,921.98	24
25. SUBTOTAL (add Line 23 and Line 24)	\$	136,879.38	25
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)	\$	136,532.48	26
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)	\$	346.90	27

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
LINE NUMBER 19(b)
(file separate schedule(s) for each
category of the Detailed
Summary Page)

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) **FRED LOCKWOOD FOR CONGRESS** (CM2 1911)

A. Full Name, Mailing Address and ZIP Code Fred A. Lockwood 2820 Applewood Gering, NE 69341	Purpose of Disbursement Loan Repayment Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 6/1/90	Amount of Each Disbursement This Period \$40,000.00
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)			\$40,000.00
TOTAL This Period (last page this line number only)			

91 FEB 10 PM 4:23

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral # 90L-56
Staff Member: Todd Hageman

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

RESPONDENTS: Fred Lockwood for Congress
Committee and Rick A.
Morehouse, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(6)

INTERNAL REPORTS CHECKED: 1990 July Quarterly

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the Fred Lockwood for Congress Committee and Rick A. Morehouse, as treasurer, to the Office of the General Counsel for failing to report within 48 hours the receipt of three (3) contributions totaling \$68,000, which were received after the 20th day, but more than 48 hours before the May 15, 1990 Primary Election in Nebraska. 2 U.S.C. § 434(a)(6). See Attachment 1. The contributions in this matter consisted of a \$26,000 contribution by the candidate and two additional contributions by the candidate in the form of his personal guarantee of bank loans to the Committee. Attachment 1, page 2.

II. FACTUAL AND LEGAL ANALYSIS

For the Factual and Legal Analysis, see Attachment 2.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

21040354916

III. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe Fred Lockwood for Congress Committee and Rick A. Morehouse, as treasurer, violated 2 U.S.C. § 434(a)(6), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis and conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

Date 2/15/91

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Referral Materials
2. Factual and Legal Analysis
3. Proposed agreement

21040354917

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Fred Lockwood for Congress)
Committee and Rick A.)
Morehouse, as treasurer.)

RAD Referral # 90L-56

(MUR)
3224)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 22, 1991, the Commission decided by a vote 5-0 to take the following actions in RAD Referral # 90L-56:

1. Open a MUR.
2. Find reason to believe Fred Lockwood for Congress Committee and Rick A. Morehouse, as treasurer, violated 2 U.S.C. § 434(a)(6), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis and conciliation agreement, and the appropriate letter, as recommended in the General Counsel's Report dated February 15, 1991.

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

Attest:

2-22-91
Date

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

Received in the Secretariat: Tues., Feb. 19, 1991 4:23 p.m.
Circulated to the Commission: Wed., Feb. 20, 1991 11:00 a.m.
Deadline for vote: Fri., Feb. 22, 1991 11:00 a.m.

91040354918



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 1, 1991

Fred Lockwood for Congress
Mr. Rick A. Morehouse, Treasurer
P.O. Box 535
Gering, NE 69341

RE: MUR 3224

Dear Mr. Morehouse:

On February 22, 1991, the Federal Election Commission found that there is reason to believe Fred Lockwood for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

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

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

91040354919

Mr. Rick Morehouse
Page 2

and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Todd Hageman, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,


John Warren McGarry
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Fred Lockwood for Congress and
Rick A. Morehouse, as treasurer

MUR 3224

9 1 0 4 0 3 5 4 9 2 1

The Federal Election Campaign Act, as amended, ("the Act"), requires a federal candidate's principal campaign committee to notify either the Clerk of the House, Secretary of the Senate or the Commission (as appropriate) and the Secretary of State, in writing, of each contribution totaling \$1,000 or more received by any authorized committee of the candidate after the 20th day but not more than 48 hours before any election. 2 U.S.C.

§ 434(a)(6)(A). Pursuant to the Act, a "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C.

§ 431(8)(A)(i). While loans in the ordinary course of business and in accordance with applicable law by certain financial institutions are not considered contributions by the financial institution, each endorser or guarantor of the loan is considered to have made a contribution in that proportion of the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors. See 2 U.S.C.

§ 431(8)(B)(vii)(I).

Notification of any last minute contribution must be made within 48 hours after the receipt of the contribution and include the name of the candidate, identification of the contributor, and the date of receipt and the amount of the

contribution. 2 U.S.C. § 434(a)(6)(A).

Mr. Fred Lockwood was a candidate for the U.S. House of Representatives from Nebraska's Third District in the May 15, 1990 primary election. According to the Statement of Organization filed with the Commission on October 16, 1989, Lockwood for Congress ("Committee") is the authorized principal campaign committee of Fred Lockwood, and Rick A. Morehouse is its treasurer.

Pursuant to 2 U.S.C. § 434(a)(6)(A), the Committee was required to notify the Commission, in writing, of all contributions of \$1,000 or more received from April 26, 1990 through May 12, 1990 within 48 hours of receipt. On April 9, 1990, the Committee was reminded by the Commission, in writing, that contributions of \$1,000 or more received during the period April 26, 1990 through May 12, 1990 must be reported to the appropriate federal and state offices within 48 hours of the committee's receipt.

The Committee received three (3) contributions during the aforementioned time period that required 48-Hour Notices. One contribution was directly from the candidate and two contributions were bank loans procured by the Committee and guaranteed by the candidate. They were received as follows, with asterisks denoting bank loans guaranteed by the candidate:

<u>Contributor Name</u>	<u>Date Received</u>	<u>Amount</u>	<u>Notice Due</u>
Fred A. Lockwood	5/7/90	\$26,000	5/9/90
*Fred A. Lockwood	5/2/90	\$6,000	5/4/90
*Fred A. Lockwood	5/5/90	\$36,000	5/7/90

The Committee did not file 48-Hour Notices for the above

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contributions and the Commission was not informed of these contributions until July 13, 1990, when the Committee filed its 1990 July Quarterly Report. As noted, 2 U.S.C. § 434(a)(6)(A) requires special notices for "any contribution of \$1,000 or more" received in proximity to elections. Further, the Act and Regulations make clear that loan guarantees are "contributions" under the Act. See 2 U.S.C. § 431(8)(A) ("contribution defined to include any "loan, advance... or anything of value"); 2 U.S.C. § 431(8)(vii)(I) and 11 C.F.R. § 100.7(a)(1)(i) (guarantees are loans by the guarantors). Therefore, the candidate's guarantees of bank loans to the Committee as well as his direct contribution required 48-Hour Notices pursuant to 2 U.S.C. § 434(a)(6). Accordingly, there is reason to believe that Fred Lockwood for Congress and Rick A. Morehouse, as treasurer, violated 2 U.S.C. § 434(a)(6).

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FRED LOCKWOOD FOR CONGRESS
BOX 535
GERING, NE 69341

March 18, 1991

John Warren MC Garry, Chairman
Federal Election Commission
Washington, D.C. 20463

Ref: MUR 3224

Dear Sir:

In answer to your letter received March 8, 1991 regarding this matter, please consider this our request for extension of time to respond to April 10, 1991, which is an additional 18 days.

We have asked counsel to assist us in furnishing additional information demonstrating that no further action should be taken against the committee and treasurer. Our counsel is Domina & Copple, P.C., Omaha, Nebraska. Specifically, Dave Domina has just received from us all the pertinent information March 8, 1991, the day we received your letter and March 15, 1991. He is currently involved in a trial in Norfolk, Nebraska representing an individual charged with kidnapping. This trial will conclude this week and has been an ongoing since the first of March. The notification of representation by counsel have been sent with the other information mentioned above and with our signatures to counsel who will be forwarding them to you.

We in no way want to delay this matter any longer than necessary and would appreciate a favorable response to our request for this extension based on the above facts.

Very truly yours

FRED LOCKWOOD FOR CONGRESS



Fred A. Lockwood
Candidate

FAL:ls

pc: Dave Domina

91 MAR 26 AM 10:25

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF LEGAL COUNSEL

9104924

06-C 0514

Domina & Copple, P.C.

MATTHEW J. CARNEY
DAVID E. COPPLE
DAVID A. DOMINA
DANIEL W. EVANS
JOHN M. PEEBLES
KATHLEEN KOENIG ROCKEY
THOMAS E. STINE

OLD MILL SOUTH
10810 HARNEY STREET
SUITE 103
OMAHA, NEBRASKA 68154

(402) 330-4300
FAX (402) 330-8983

(PLEASE REPLY TO ABOVE OFFICE)

2425 TAYLOR AVENUE
P.O. BOX 78
NORFOLK, NEBRASKA 68702-0078

(402) 371-4300
FAX (402) 371-0790

March 25, 1991

VIA FEDERAL EXPRESS

Federal Election Commission
Attention: Mr. John Warren McGarry
Chairman
Washington, D.C. 20463

Re: Fred Lockwood for Congress

MUR
3224

91 MAR 26 PM 3:33

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK
WASHINGTON, D.C. 20541

Dear Mr. McGarry:

Enclosed please find the executed Statement of Designation of Counsel of Fred Lockwood for Congress, our client. This Designation is being sent to you pursuant to the requirements of your March 1, 1991, correspondence.

The March 1 materials reached me March 11 when I was beginning the second week of a major, complicated criminal trial. I was unable to devote substantive attention to this matter until now.

Enclosed, too, is the Affidavit I have drafted for the signature of Mr. Lockwood and a separate Affidavit I have drafted for the signature of Mr. Morehouse, treasurer of the campaign. When these are signed (which should be immediately) they will be forwarded to you.

May we respectfully request that a hearing be held concerning the civil penalties issue. The campaign has no money--it is substantially in debt. The candidate has also exhausted his wealth, and there are no prospects for a successful fund raiser in Nebraska's Third Congressional District for a candidate defeated in the primary.

We are willing to concede for purposes of settlement discussion only that an infraction may have occurred in the campaign's reporting of the funds Mr. Lockwood arranged for it. However, the infusion of funds was never hidden or concealed; the infusion reflects an actual loss of monies by Mr. Lockwood, and there is no attempt to conceal any funding source.

Mr. John Warren McGarry

Page 2

March 25, 1991

Under all of these circumstances, it is our respectful request that the FEC waive any civil penalty that might otherwise be assessable and terminate the inquiry it has initiated with Mr. Lockwood's committee.

Respectfully,

David A. Domina

David A. Domina

DAD/gcp

41DAD246.01

Enc.

cc: Mr. Fred Lockwood

Dictated: 3-25-91

Transcribed: 3-25-91

21040354926

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3224

NAME OF COUNSEL: David A. Domina, #11043

ADDRESS: 10810 Harney Street, Suite 103
Omaha, NE 68154

TELEPHONE: (402) 330-4300

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.

3-25-91
Date

Rick A. Morehouse
Signature

RESPONDENT'S NAME: Rick A. Morehouse

ADDRESS: Box 535
Gering, NE 69341

HOME PHONE: (308) 436-5417

BUSINESS PHONE: (308) 436-5081

21040854927

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3224

NAME OF COUNSEL: David A. Domina, #11043

ADDRESS: 10810 Harney Street, Suite 103
Omaha, NE 68154

TELEPHONE: (402) 330-4300

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.

3-25-91

Date


Signature

RESPONDENT'S NAME: Fred Lockwood for Congress

ADDRESS: Box 535
Gering, NE 69341

HOME PHONE: (308) 632-6214

BUSINESS PHONE: (308) 436-5081

91040354928

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

.MUR 3224

Fred Lockwood for Congress
and Rick A. Morehouse, as
Treasurer

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REQUEST FOR EXTENSION OF TIME TO
SUBMIT EVIDENCE AND MATERIALS

Fred Lockwood for Congress and Rich A. Morehouse, as treasurer thereof, respectfully request that the Federal Election Commission grant them additional time until April 10, 1991, to submit evidence, Affidavits and materials in response to the March 1, 1991, communication of the FEC communicating its February 22, 1991, finding that there is reason to believe that Fred Lockwood for Congress ("Committee") and its treasurer violated 2 U.S.C. Sec. 434 (a) (6) (A).

Additional time to respond is sought for the following reasons, and each of them:

- A. The Committee functioned without the services of legal counsel throughout its existence. No communication with legal counsel occurred until the FEC's March 1, 1991, letter was received.
- B. The undersigned counsel for the Committee did not receive copies of the documents until they arrived at his office on March 11, 1991. Then, however, counsel was engaged in the trial of a complex, major criminal case and this commitment prevented him from devoting substantive attention to this matter until March 23, 1991.
- C. The candidate is a certified public accountant. The FEC's action occurred in the middle of the "season" in which the candidate's professional time is in the greatest demand, i.e., the pre-April 15, 1991, deadline for filing Federal Income Tax Returns. The candidate's treasurer is

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also a certified public accountant who confronts similar demands. The time constraints and demands upon the candidate and treasurer have made it difficult for them to find sufficient time to frame a response to the FEC's communication. This difficulty has been exacerbated by the conflicting schedule of the undersigned legal counsel.

- D. The FEC's notification has necessitated the procurement and review of financial records and campaign records which have required retrieval by the candidate and the treasurer and analysis by them. This process is not yet complete.

FRED LOCKWOOD FOR CONGRESS and
RICK A. MOREHOUSE, AS TREASURER,

BY DOMINA & COPPLE, P.C.,
His Counsel.

By David A. Domina
David A. Domina, #11043
Domina & Copple, P.C.
10810 Harney Street
Suite 103
Omaha, NE 68154
(402) 330-4300

06C 0608

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

.MUR 3224

Fred Lockwood for Congress
and Rick A. Morehouse, as
Treasurer

)
)
)
)
)

AFFIDAVIT OF FRED A. LOCKWOOD

STATE OF NEBRASKA

)

) ss.

COUNTY OF SCOTTS BLUFF)

91 APR -2 PM 3:01

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Fred A. Lockwood, being first duly sworn upon his oath,
states:

1. I am the candidate upon whose behalf the committee known as Fred Lockwood for Congress was formed. The committee functioned during my candidacy for the United States House of Representatives in Nebraska's Third Congressional District. I was defeated in the Republican Party primary held in May 1990. Thereafter, the committee functioned only to wind up its affairs. It has no ongoing activity.

2. I became a candidate for the Congressional seat in Nebraska's Third District with the intention that I would operate the campaign without any paid staff. The campaign did, in fact, operate exclusively with volunteers. All records for the campaign and the committee were kept by individuals serving as volunteers. The volunteers included Rick A. Morehouse, treasurer.

3. Nebraska's Third Congressional District is, geographically, the eighth largest Congressional district in the United States. Its dimensions are 350 miles by 280 miles. The district consists of sparsely populated rural areas and scattered small communities. Campaigning in the district was, therefore, conducted largely by automobile and campaigning was heavily dependent upon personal appearances by the candidate.

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4. I arranged a line of credit for the campaign with FirstTier Bank Scottsbluff in the amount of \$150,000.00. On April 26, 1990, I filed a 12 day pre-primary report reflecting a debt of \$108,000.00 in the campaign. I personally read Chapter 5 of the Campaign Guide to the Congressional Candidate and Committees and the specific provisions of the Act including 2 U.S.C. Sec. 434 (a) (6) (A). I was, frankly, not of the opinion after reading these materials that bank loans were reportable as contributions under the 48-hour reporting requirement.

5. When the bank loan was taken, I was campaigning and was at a location nearly 300 miles from my home and campaign headquarters. I remained in the most urban portion of the Congressional district (an area approximately 300 miles remote from my home) from April 15, 1990, to May 13, 1990, when the election was held. My communications during this time were with volunteer staff members. I arranged or authorized bank borrowings by telephone only. Many of the decisions concerning the handling of funds were made by wife, Carol.

6. On or about May 7, my wife advised me that our campaign needed an additional loan from us. I directed my wife to transfer \$26,000.00 as a loan to the campaign with the sole intent that the funds would be infused into the campaign as a loan, just as had been the previous one \$120,000.00 reported through April 26.

7. On June 30, 1990, I reported the amount as a contribution when, in fact, I should have reported it as a loan from the candidate, which would then have been transferred to the contribution schedule.

8. Neither the committee nor I have any expectation or plan whatsoever to recoup the campaign debt from outside contributions. Accordingly, the entire amount of the debt will likely conclude as a "contribution" by me as a candidate.

9. The committee is without assets or cash. The committee has a debt of \$118,600.00 to me and it remains obligated to FirstTier Bank Scottsbluff in the amount of \$66,500.00 (at 12-31-90).

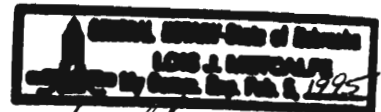
10. To my knowledge, all reports required by the FEC were filed timely except the one due immediately before the election (i.e., the one in question). My adversaries in the primary election did not comply with the Act as I understand it.

11. The campaign waged by my committee required that I expend substantially all my net worth and that of my wife. I am now without cash, as is the campaign, and I have no realistic expectation of recouping any of the campaign debt. Neither the campaign nor I have the financial wherewithal to pay any civil penalty that might be assessed.

12. The entire history of my campaign's filings, compliance efforts and finances, make it clear that there was certainly no intention on my part, or on the part of my committee or the part of my committee's treasurer, to violate the act.

Fred A. Lockwood
Fred A. Lockwood

Subscribed and sworn to before me this 2nd day of March, 1991, by Fred A. Lockwood.



Lois J. Metcalfe
Notary Public

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Fred Lockwood for Congress)
and Rick A. Morehouse, as)
Treasurer)

.MUR 3224

AFFIDAVIT OF RICK A. MOREHOUSE

STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF) ss.

Rick A. Morehouse, being first duly sworn upon his oath, states:

1. I am more than 21 years of age and the facts recited herein are known to me personally. I am a certified public accountant. During 1990, I functioned as the volunteer, unpaid treasurer of Lockwood for Congress, a committee of volunteers formed to assist in promoting the candidacy of Fred A. Lockwood for the Third Congressional District of Nebraska.

2. Other unpaid volunteers and I maintained the books and records of the campaign. We did so to the best of our ability and without the assistance of legal counsel, professional campaigners or professional campaign advisers, or any federal election experience discharging similar responsibilities.

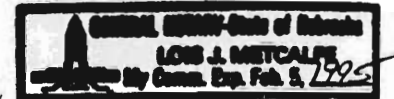
3. I am aware of the Federal Election Commission's finding that there is probable cause to believe a civil penalty is due for failure to report certain bank loans timely. At the time the loans were taken, the campaign was in considerable need for cash. It was unable to raise the funds necessary to permit it to complete the campaigning process as it wanted to do. Accordingly, the candidate arranged and made personal loans to the committee. The amounts so received by the campaign were reported promptly.

4. I have read the Affidavit of Fred A. Lockwood of this date. I know that the facts recited in that Affidavit are true.

5. Like all volunteers working for the committee, and the candidate, I endeavored to complete my responsibilities as campaign treasurer diligently, timely and correctly. Any untimely reporting, or mistaken report, occurred exclusively as the result of lack of understanding or oversight. Certainly, there was no intention to misstate any fact, and there was no intention to falsify any report or submit a report that was incomplete, inaccurate or incorrect.

Rick A. Morehouse
Rick A. Morehouse

Subscribed and sworn to before me this 24th day of March, 1991, by Rick A. Morehouse.



Louis J. Metcalfe
Notary Public

41DAD152.02

08C1686



Fred Lockwood For Congress
P.O.Box 45, Scottsbluff, NE 69363

91 JUN 26 AM 11:01

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

June 21, 1991

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

ATTENTION: Lois G. Lerner
Associate General Counsel

Dear Ms. Lerner:

Enclosed is a signed conciliation agreement relating to the Fred Lockwood for Congress reporting violation, Ref. MUR 3224. Payment will follow within the 30 days allowed under the agreement.

Please contact me if you have questions or need additional information.

Very truly yours,

Rick A. Morehouse

FRED LOCKWOOD FOR CONGRESS
Rick A. Morehouse, Treasurer

21040354936

91 JUL 12 AM 9:55

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of
Fred Lockwood for
Congress and Rick A.
Morehouse, as treasurer

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)
)
MUR 3224

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Rick A. Morehouse, the treasurer of Fred Lockwood for Congress.

The attached agreement contains no changes from the agreement approved by the Commission on May 30, 1991. A check for the civil penalty has not been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Fred Lockwood for Congress and Rick A. Morehouse, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

Date 7/11/91

BY:


Lois G. Lerner
Associate General Counsel

Attachment
Conciliation Agreement

Staff Assigned: Todd S. Hageman

91040854937

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Fred Lockwood for Congress) MUR 3224
and Rich A. Morehouse, as)
treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 17, 1991, the Commission decided by a vote of 5-0 to take the following actions in MUR 3224:

1. Accept the conciliation agreement with Fred Lockwood for Congress and Rick A. Morehouse, as treasurer.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated July 11, 1991.

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

Attest:

7-17-91
Date

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

Received in the Secretariat: Fri., July 12, 1991 9:55 a.m.
Circulated to the Commission: Mon., July 15, 1991 11:00 a.m.
Deadline for vote: Wed., July 17, 1991 11:00 a.m.

dr

21040854938



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 23, 1991

CLOSED

Mr. David A. Domina
Domina & Copple, P.C.
Old Mill South
10810 Harney Street, Suite 103
Omaha, NE 68154

RE: MUR 3224
Fred Lockwood for
Congress and Rick A.
Morehouse, as treasurer

Dear Mr. Domina:

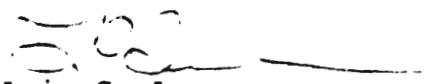
On July 17, 1991, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. I remind you that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact Todd Hageman, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure

91040354939

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Fred Lockwood for
Congress and Rick A.
Morehouse, as treasurer

)
)
)
)
)

MUR 3224

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Fred Lockwood for Congress and Rick A. Morehouse, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(6)(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. Fred Lockwood for Congress is a political committee within the meaning of 2 U.S.C. § 431(4).

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2. Rick A. Morehouse is the treasurer of Fred Lockwood for Congress.

3. Section 434(a)(6)(A) of Title 2 provides that political committees authorized by a candidate must file special notices identifying contributors who make contributions, including loans, of \$1,000 or more received after the 20th day, but more than 48 hours before, an election in which the candidate is running, within 48 hours of the committee's receipt of such contributions.

4. Respondents were required to file special notices identifying contributors who made contributions, including loans, of \$1,000 or more received from April 26, 1990 through May 12, 1990. Respondents failed to file special notices for \$68,000 in contributions received between April 26, 1990 and May 12, 1990.

V. Respondents failed to file special notices for \$68,000 in contributions received between April 26, 1990 and May 12, 1990 in violation of 2 U.S.C. § 434(a)(6)(A).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of One Thousand, Five Hundred dollars (\$1,500), 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

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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 requirements contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

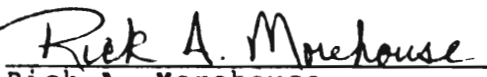
BY:


Lois G. Lerner
Associate General Counsel

Date

7/22/91

FOR THE RESPONDENTS:


Rick A. Morehouse
Treasurer

Date

6/21/91

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3227

DATE FILMED 8/13/91 CAMERA NO. 4

CAMERAMAN AS

91040354943



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3224.

10/18/91

91040871736

Fred A. Lockwood
1610 Tenth Street Gering, Nebraska 69341

ABC 2764

Fris D Lerner
Associate General Counsel
Federal Election Commission
Washington D.C. 20463

August 13, 1991

CLOSED

Re MUR3224
Fred Lockwood for Congress

Dear Mr. Lerner

Enclosed is payment in full of the
settlement with the FEC. per your
letter dated July 23, 1991 and the Conciliation
agreement dated by yourself July 22, 1991

Thank you for your assistance in this
matter

Sincerely

Fred Lockwood

91 AUG 20 PM 3:40

FEDERAL ELECTION COMMISSION

91 AUG 19 PM 12:52

RECEIVED
FEDERAL ELECTION COMMISSION

91040871737



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Aug 19, 1991

TWO WAY MEMORANDUM

TO: Fabrae Brunson
OGC, Docket

FROM: Philomena Brooks *PB*
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Fred Lockwood
for Congress, check number 357, dated
Aug. 12, 1991, and in the amount of \$ 1500.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Philomena Brooks
Accounting Technician

FROM: Fabrae Brunson *PB*
OGC, Docket

In reference to the above check in the amount of
\$ 1500, the MUR number is 3224 and in the name of
Fred Lockwood for Congress. The account into
which it should be deposited is indicated below:

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

Fabrae Brunson
Signature

August 21, 1991
Date

91040871738

FRED LOCKWOOD FOR CONGRESS

9 1 0 4 0 8 7 1 7 3 9 357

8/12 19 91

FD-107
1001

PAY TO THE
ORDER OF

Federal Election Commission \$ 1500⁰⁰

One thousand five hundred & no 100 DOLLARS

 **FirstTier Bank, N.A.**
1620 Broadway
Scottsbluff, NE 69361

FOR

Fred A. Lockwood

⑆ 104101575⑆ ⑈0503255049⑈