



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 4185

DATE FILMED 2/8/96 CAMERA NO. 4

CAMERAMAN 2L7

96043720985

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: November 15, 1994

ANALYST: TODD SCHUMACHER

I. COMMITTEE:

Bob Krueger Campaign
 (C00279414)
 Nina Guinn, Treasurer
 P.O. Box 311717
 New Braunfels, TX 78131

II. RELEVANT STATUTES:

2 U.S.C. §434(a)(6)
 11 CFR §104.5(f)

III. BACKGROUND:

Failure to File Forty-Eight Hour Notifications

The Bob Krueger Campaign ("the Committee") has failed to file one (1) 48-Hour Notification for a candidate loan totalling \$100,000 prior to the 1993 Senate Special Runoff Election.

The candidate was involved in the 1993 Senate Special Runoff Election held on June 5, 1993. Prior Notice was sent to the Committee on May 13, 1993 (Attachment 2). The Notice includes a section titled "48 Hour Notices on Contributions". This section reads "Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of May 17 through June 2. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s)."

Schedule C of the 1993 30 Day Post-Runoff Report indicates that the Committee failed to file one (1) 48-hour Notice for a candidate loan received during the aforementioned period (Attachment 3). The following is the loan for which a 48-Hour Notice was not filed:

<u>Contributor Name</u>	<u>Date</u>	<u>Amount</u>
Robert Krueger (candidate's personal funds)	6/2/93	\$100,000

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On August 2, 1994, a Request for Additional Information ("RFAI") was sent to the Committee (Attachment 4). The RFAI notes 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 requests the Committee to review their procedures for checking contributions received during the aforementioned time period. In addition, the notice states that, although the Commission may take legal steps, any response would be taken into consideration.

The Committee's October 11, 1994 response states that the committee "...reported within 48 hours all contributions of \$1,000 or more received between two and twenty days before an election...", with the exception of Memorial Day because they did not receive any contributions on that day (Attachment 5). The response also states that the Committee has "... kept copies of all..." of the Notifications and the "...faxed acknowledgements of receipt...", and that they could be provided at the Commission's request.

On October 14, 1994, a Reports Analysis Division analyst called the Committee treasurer, Nina Guinn, to inquire as to whether the references in the Committee's response to having filed all necessary Notifications and having copies of the Notifications and the faxed acknowledgments includes the \$100,000 loan from the candidate's personal funds that was incurred on June 2, 1993 (Attachment 6). Ms. Guinn said that she did not prepare the reports, that she "...just signed them", but that she would tell the person who prepared the reports, Britt Jackson, to call the analyst "...today."

On October 20, 1994, Britt Jackson called the analyst and stated that she did not know whether a 48-Hour Notice was filed because the Committee records were not readily accessible (Attachment 7). She also stated that it "...probably didn't occur to..." her to file a Notice for the loan and that she thought it was "...unusual..." that a 48-Hour Notice would be required for a loan. She added that she would research the situation further and call the analyst with more information later the same day.

To date, the analyst has not received any subsequent telephone calls from the Committee.

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CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			

KRUEGER, ROBERT (BOB)	SENATE	DEMOCRATIC PARTY				TEXAS	1993 ELECTION	ID# S8TX00020	
1. STATEMENT OF CANDIDATE									
1993 STATEMENT OF CANDIDATE							13JAN93		1 93SEN/001/0595
STATEMENT OF CANDIDATE - AMENDMENT							18NOV93		1 93SEN/011/3815
2. PRINCIPAL CAMPAIGN COMMITTEE									
BOB KRUEGER CAMPAIGN							ID #C00279414	SENATE	
1993 STATEMENT OF ORGANIZATION							13JAN93		3 93SEN/001/0597
STATEMENT OF ORGANIZATION - AMENDMENT							4FEB93		3 93SEN/002/3687
STATEMENT OF ORGANIZATION - AMENDMENT							18FEB93		3 93SEN/003/0802
STATEMENT OF ORGANIZATION - AMENDMENT							8MAR93		3 93SEN/003/1592
48 HOUR CONTRIBUTION NOTICE							19APR93		3 93SEN/003/5215
48 HOUR CONTRIBUTION NOTICE							19APR93		2 93SEN/003/5212
48 HOUR CONTRIBUTION NOTICE							19APR93		3 93SEN/003/5208
48 HOUR CONTRIBUTION NOTICE							19APR93		2 93SEN/003/5205
48 HOUR CONTRIBUTION NOTICE							19APR93		2 93SEN/003/5202
48 HOUR CONTRIBUTION NOTICE							19APR93		4 93SEN/003/5197
48 HOUR CONTRIBUTION NOTICE							19APR93		6 93SEN/003/5190
48 HOUR CONTRIBUTION NOTICE							19APR93		11 93SEN/003/5178
48 HOUR CONTRIBUTION NOTICE							19APR93		3 93SEN/003/5349
48 HOUR CONTRIBUTION NOTICE							21APR93		10 93SEN/004/2145
48 HOUR CONTRIBUTION NOTICE							23APR93		4 93SEN/004/2223
48 HOUR CONTRIBUTION NOTICE							23APR93		3 93SEN/004/2228
48 HOUR CONTRIBUTION NOTICE							26APR93		6 93SEN/004/2266
48 HOUR CONTRIBUTION NOTICE							26APR93		9 93SEN/004/2679
48 HOUR CONTRIBUTION NOTICE							28APR93		2 93SEN/004/3710
48 HOUR CONTRIBUTION NOTICE							28APR93		5 93SEN/004/3704
48 HOUR CONTRIBUTION NOTICE							29APR93		5 93SEN/004/3972
48 HOUR CONTRIBUTION NOTICE							30APR93		6 93SEN/004/4130
48 HOUR CONTRIBUTION NOTICE							17MAY93		7 93SEN/005/0030
48 HOUR CONTRIBUTION NOTICE							18MAY93		4 93SEN/005/0093
48 HOUR CONTRIBUTION NOTICE							20MAY93		3 93SEN/005/0153
48 HOUR CONTRIBUTION NOTICE							21MAY93		6 93SEN/005/0970
48 HOUR CONTRIBUTION NOTICE							24MAY93		8 93SEN/005/0926
48 HOUR CONTRIBUTION NOTICE							24MAY93		4 93SEN/005/0534
48 HOUR CONTRIBUTION NOTICE							25MAY93		3 93SEN/005/1968
48 HOUR CONTRIBUTION NOTICE							26MAY93		4 93SEN/005/2562
48 HOUR CONTRIBUTION NOTICE							26MAY93		4 93SEN/005/2061
48 HOUR CONTRIBUTION NOTICE							27MAY93		3 93SEN/005/2988
48 HOUR CONTRIBUTION NOTICE							1JUN93		3 93SEN/005/3062
48 HOUR CONTRIBUTION NOTICE							1JUN93		3 93SEN/005/3057
48 HOUR CONTRIBUTION NOTICE							2JUN93		4 93SEN/005/3438
48 HOUR CONTRIBUTION NOTICE							3JUN93		4 93SEN/005/3582
48 HOUR CONTRIBUTION NOTICE							3JUN93		3 93SEN/005/3598
48 HOUR CONTRIBUTION NOTICE							9NOV93		7 93SEN/011/3698
STATEMENT OF ORGANIZATION - AMENDMENT							18NOV93		1 93SEN/011/3816

All Reports Have Been Reviewed Except:

Amended 1993 30 Day Post-Runoff Report of 10/11/94

Amended 1993 Year End Report of 10/11/94

Ending Cash on Hand as of 12/31/93: \$1700

Outstanding Debts and Obligations Owed by the Committee
as of 12/31/93:

\$5000

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CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/ PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
PRE-SPECIAL			2,472,296		2,121,241	1JAN93 -11APR93	533	93SEN/004/0001
PRE-SPECIAL - AMENDMENT			2,479,594		2,123,527	1JAN93 -11APR93	38	93SEN/005/2023
PRE-SPECIAL - AMENDMENT			-		-	1JAN93 -11APR93	4	94SEN/003/0625
REQUEST FOR ADDITIONAL INFORMATION						1JAN93 -11APR93	7	93FEC/838/3436
REQUEST FOR ADDITIONAL INFORMATION 2ND						1JAN93 -11APR93	8	93FEC/841/3377
REQUEST FOR ADDITIONAL INFORMATION						1JAN93 -11APR93	4	93FEC/869/2108
REQUEST FOR ADDITIONAL INFORMATION 2ND						1JAN93 -11APR93	4	94FEC/873/1030
REQUEST FOR ADDITIONAL INFORMATION						1JAN93 -11APR93	17	94FEC/915/2460
REQUEST FOR ADDITIONAL INFORMATION 2ND						1JAN93 -11APR93	17	94FEC/919/3479
PRE-SPECIAL - AMENDMENT			-		-	1JAN93 -16APR93	10	93SEN/011/3804
PRE-RUN-OFF			1,116,957		932,591	12APR93 -16MAY93	639	93SEN/005/1325
REQUEST FOR ADDITIONAL INFORMATION						12APR93 -16MAY93	5	93FEC/849/2736
REQUEST FOR ADDITIONAL INFORMATION 2ND						12APR93 -16MAY93	6	93FEC/856/4684
REQUEST FOR ADDITIONAL INFORMATION						12APR93 -16MAY93	4	93FEC/869/2104
REQUEST FOR ADDITIONAL INFORMATION 2ND						12APR93 -16MAY93	5	94FEC/873/1034
REQUEST FOR ADDITIONAL INFORMATION						12APR93 -16MAY93	18	94FEC/915/2477
REQUEST FOR ADDITIONAL INFORMATION 2ND						12APR93 -19MAY93	18	94FEC/919/3461
POST-RUN-OFF		647,010		1,186,758		17MAY93 -30JUN93	255	93SEN/006/2458
POST-RUN-OFF - AMENDMENT		649,504		1,189,252		17MAY93 -30JUN93	11	93SEN/006/3787
POST-RUN-OFF - AMENDMENT		652,004		1,189,252		17MAY93 -30JUN93	16	94SEN/019/4440
REQUEST FOR ADDITIONAL INFORMATION						17MAY93 -30JUN93	14	94FEC/915/2495
REQUEST FOR ADDITIONAL INFORMATION 2ND						17MAY93 -30JUN93	14	94FEC/919/3447
YEAR-END			291,150		290,135	1JUL93 -31DEC93	122	94SEN/003/1555
YEAR-END - AMENDMENT			291,625		293,109	1JUL93 -31DEC93	83	94SEN/019/4461
REQUEST FOR ADDITIONAL INFORMATION						1JUL93 -31DEC93	35	94FEC/915/2425
REQUEST FOR ADDITIONAL INFORMATION 2ND						1JUL93 -31DEC93	36	94FEC/919/3496
1994 MISCELLANEOUS REPORT FROM FEC						25APR94	4	94FEC/897/0478
MISCELLANEOUS REPORT TO FEC						7SEP94	3	94SEN/018/3349
NOTICE OF FAILURE TO FILE						1JAN94 -30JUN94	2	94FEC/936/2215
TOTAL		652,004	3,888,176	1,189,252	3,349,227		2105	TOTAL PAGES
3. AUTHORIZED COMMITTEES								
BOB KRUEGER FOR RAILROAD COMMISSIONER COMMITTEE						ID #C00281253 SENATE		
1993 STATEMENT OF ORGANIZATION						26APR93	1	93SEN/004/3712
PRE-RUN-OFF - TERMINATED			66,200		66,200	24AUG92 -16MAY93	37	93SEN/005/1986
PRE-RUN-OFF - AMENDMENT			0		66,200	1JAN93 -16MAY93	4	94SEN/011/1863
REQUEST FOR ADDITIONAL INFORMATION						24AUG92 -16MAY93	3	94FEC/897/0475
REQUEST FOR ADDITIONAL INFORMATION 2ND						24AUG92 -16MAY93	4	94FEC/899/3327
POST-RUN-OFF		0			0	17MAY93 -30JUN93	3	93SEN/006/2455
TERMINATED							52	TOTAL PAGES
FRIENDS OF BOB KRUEGER						ID #C00165969 SENATE		
1993 JULY QUARTERLY		0		0		1JAN93 -30JUN93	3	93SEN/006/2435

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			PRIMARY	GENERAL	PRIMARY	GENERAL			

YEAR-END			30,550		30,310		1JUL93 -31DEC93	12	94SEN/001/1013
1994 JULY QUARTERLY			1,500		1,800		1JAN94 -30JUN94	7	94SEN/016/1661

22 TOTAL PAGES

FRIENDS OF BOB KRUEGER "78							ID #C00076968 SENATE		
1993 MID-YEAR REPORT				0			0 1JAN93 -30JUN93	5	93SEN/006/2439
YEAR-END				17,500			16,508 1JUL93 -31DEC93	10	94SEN/001/1026
1994 JULY QUARTERLY				0			1,300 1JAN94 -30JUN94	4	94SEN/016/1656

19 TOTAL PAGES

93 AUTH TOT PAGES

4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

BREAUX-CONRAD-KRUEGER JOINT FUNDRAISING COMMITTEE

1993 STATEMENT OF ORGANIZATION

STATEMENT OF ORGANIZATION - AMENDMENT

PRE-SPECIAL

PRE-SPECIAL - AMENDMENT

REQUEST FOR ADDITIONAL INFORMATION

REQUEST FOR ADDITIONAL INFORMATION 2ND

PRE-SPECIAL

POST-RUN-OFF - TERMINATED

ID #C00279679 SENATE

27JAN93	3	93SEN/001/1299
5FEB93	2	93SEN/003/0283
25JAN93 -11APR93	17	93SEN/003/4509
25JAN93 -11APR93	3	94SEN/017/1744
25JAN93 -11APR93	5	94FEC/904/1337
25JAN93 -11APR93	6	94FEC/908/3374
12APR93 -16MAY93	3	93SEN/005/1322
17MAY93 -25JUN93	5	93SEN/006/1560

44 TOTAL PAGES

TERMINATED

SENATE VICTORY FUND

1993 STATEMENT OF ORGANIZATION

PRE-RUN-OFF

POST-RUN-OFF

NOTICE OF FAILURE TO FILE

TERMINATION REPORT

1ST LETTER INFORMATIONAL NOTICE

1994 REQUEST FOR ADDITIONAL INFORMATION

MISCELLANEOUS NOTICE FROM FEC

REQUEST FOR ADDITIONAL INFORMATION 2ND

NOTICE OF FAILURE TO FILE

NOTICE OF FAILURE TO FILE

ID #C00282806 PARTY QUALIFIED

18NOV93	1	93SEN/011/3814
6MAY93 -16MAY93	14	93SEN/005/1972
17MAY93 -30JUN93	8	93SEN/006/2447
1JUL93 -31DEC93	2	94FEC/915/3502
1JUL93 -31DEC93	5	94SEN/019/4456
1JUL93 -31DEC93	2	94FEC/940/3175
2SEP94	2	94FEC/915/2951
16SEP94	2	94FEC/922/2014
29SEP94	3	94FEC/924/4669
31JAN94 -31MAR94	1	94FEC/915/3501
18AUG94 -30JUN94	1	94FEC/915/3500

41 TOTAL PAGES

4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

BREAUX-CONRAD-KRUEGER JOINT FUNDRAISING COMMITTEE

1993 PRE-SPECIAL

PRE-SPECIAL

25,000

21,000

ID# C00279679 SENATE

5MAR93	93SEN/004/0441
5APR93	93SEN/004/0441

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			PRIMARY	GENERAL	PRIMARY	GENERAL			
PRE-SPECIAL			1,329				9APR93	93SEN/004/0441	
PRE-SPECIAL			2,000				9APR93	93SEN/004/0441	
SENATE VICTORY FUND							ID# C00282806	PARTY QUALIFIED	
DEMOCRATIC SENATORIAL CAMPAIGN CNTE									
1993 POST-RUN-OFF		- AMENDMENT	9,004				28MAY93	93SEN/006/3792	
POST-RUN-OFF		- AMENDMENT	2,000				1JUN93	93SEN/006/3792	
TOTAL			60,333						

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REPORT NOTICE

FEDERAL ELECTION COMMISSION

Texas Special Runoff
Senatorial Committees

May 13, 1993

REPORT	REPORTING PERIOD	REG./CERT. MAILING DATE*	FILING DATE
Pre-Runoff	04/12/93** - 05/16/93	05/21/93	05/24/93
48 Hour Notices	---See Below---		
Post-Runoff	05/17/93 - 06/25/93	07/06/93	07/06/93
Mid-Year	06/26/93 - 06/30/93	07/31/93	07/31/93

WHO MUST FILE

Principal campaign committees of Senate candidates who seek election in the special runoff must file the above reports and notices. If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 32.

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of May 17 through June 2. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s).

LABEL

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

COMPLIANCE

TREASURERS ARE RESPONSIBLE FOR FILING ALL REPORTS AND 48 HOUR NOTICES ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES USING NON-FEC FORMS FOR REPORTS OR FILING ILLEGIBLE REPORTS OR NOTICES WILL BE REQUIRED TO REFILE.

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

**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.

FOR INFORMATION, Call: 800/424-9530 or 202/219-3420

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SCHEDULE C
(Personal 284)

LOANS

Attachment 3

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9 6 90 4 4 3 2 7 0 2 1

Name of Committee for Full: BEB KNEGER CAMPAIGN			
Full Name, Mailing Address and ZIP Code of Loan Source Robert Kneger PO Box 311717 New Braunfels, TX 78131		Original Amount of Loan 100,000.00	Outstanding Payment To Date 0.00
Signature: ☐ Primary ☐ General ☐ Other (specify): Springfield		Balance Outstanding at Close of This Period 100,000.00	
Terms: _____ Date Incurred: 1-2-78 Date Due: _____ Interest Rate: _____ (Specify) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: 0	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: 0	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: 0	
Full Name, Mailing Address and ZIP Code of Loan Source		Original Amount of Loan	Outstanding Payment To Date
Signature: ☐ Primary ☐ General ☐ Other (specify):			Balance Outstanding at Close of This Period
Terms: _____ Date Incurred: _____ Date Due: _____ Interest Rate: _____ (Specify) ☐ Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: 0	
2. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: 0	
3. Full Name, Mailing Address and ZIP Code		Name of Employer	
		Occupation	
		Amount Guaranteed Outstanding: 0	
Print Name and Address of Lender (if any): Print Name and Address of Lender (if any):			
Don't forget to attach copies of LHA 2, Schedule D, for this loan. If on Schedule D, carry forward to appropriate line of Summary.			



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Nina Guinn, Treasurer
Bob Krueger Campaign
P.O. Box 311717
New Braunfels, TX 78130

AUG 2 1994

Identification Number: C00279414

Reference: 30 Day Post-Runoff Report (5/17/93-6/30/93)

Dear Ms. Guinn:

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

-Schedule A of your report discloses a contribution(s) which appears to exceed the limits set forth in the Act (copies attached). You should conduct a review of all of your contributions to determine the rest of the excessives that your committee may have received. As you check for additional excessives, you should review the committee's procedures for handling the receipt of contributions.

An individual or a political committee other than a qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. A qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$5,000 per election. The term "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. §441a(a) and (f); 11 CFR §110.1(b), (e) and (k))

If the contribution(s) in question was not completely or correctly reported, you should amend your original report using the new or corrected information. If the contribution(s) exceeds the limits, you should either refund to the donor the amount in excess of \$1,000 or get the donor to redesignate and/or reattribute the excessive amount in writing. All refunds, redesignations, and reattributions must be made within sixty days of receipt of the contribution. Copies of refund checks

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Bob Krueger Campaign

and copies of letters reattributing or redesignating the contributions in question may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR §104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or seek redesignation and/or reattribution of the excessive amount will be considered.

-Your calculations for the loan schedule (Schedule C) are incorrect. Our calculations disclose an apparent discrepancy of \$100,000 in the loan owed to Robert Krueger. (\$100,000 - \$100,000 = \$0). Please amend your report to provide the correct total for this loan on Schedule C.

-All contributions received by your committee from 5/17/93 through 6/30/94 are required to be reported on this report. Your committee filed 48 hour notices disclosing the following "last minute" contributions:

<u>Contributor</u>	<u>Date</u>	<u>Amount</u>
Charles Van Der Horst, M.D.	6/01/93	\$1,000
DSCC	5/27/93	\$2,500

These contributions do not appear on a Schedule A of this report. Please amend your report to include these contributions or provide an explanation of these apparent discrepancies.

-The loan payment(s) indicated on Schedule C does not equal the loan payment(s) itemized on Schedule B. Each loan payment made by the committee must be itemized on Schedule B, regardless of the amount of the payment. Please correct this discrepancy and file an amendment to your report. (11 CFR §104.3(b)(4)(iii) or (iv))

9 9 4 0 3 3 4 12 5 2 4 5 6

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Bob Krueger Campaign

-You must provide the occupation and name of employer for each contributor required to be itemized on Schedule A. Please amend your report to include the omitted information.

With respect to the occupation and name of employer of the contributor, your committee may demonstrate "best efforts" to obtain the required information. This demonstration must describe your committee's procedures for requesting the information. You may also supply a copy of the solicitation. Under 11 CFR §104.7(b), the solicitation shall consist of a clear request for the required information (i.e., name, mailing address, occupation, and name of employer). The request should also inform the contributor that the reporting of such information is required by law. Amended Schedules A containing the missing occupations and names of contributors' employers must be provided to the Commission as such information becomes available to the committee. See 11 CFR §104.3(a)(4)(i) and 11 CFR §104.7.

-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used personal funds or borrowed the money from a lending institution or some other source. If the candidate borrowed funds from a lending institution, or other source, please provide the name of the lending institution and the complete terms of the loan. Additionally, for loans from a lending institution, you must file an FEC FORM C-1 (copy attached) and a copy of the loan agreement. If the loan(s) was from personal funds, please acknowledge that fact in an amendment to this report. It is important to note that "personal funds" is strictly defined by Commission Regulations. See 11 CFR §110.10. (11 CFR §§100.7(a)(1) and 104.3(d))

-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-Runoff 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

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Bob Krueger Campaign

L 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 provide concerning this matter will be considered. (11 CFR §104.5(f))

-2 U.S.C. §434(b)(3) requires itemization of contributions from individuals and persons other than political committees, where the aggregate total from the contributor exceeds \$200 in a calendar year. In addition, 11 CFR §104.3(a)(2)(i)(B) requires a committee to report the total amount of unitemized contributions (see Line 11(a)(ii) of the Detailed Summary Page). If a committee wishes to disclose contributions regardless of the amount contributed, the committee must separate (on separate Schedules A) those contributors requiring itemization from those who are not required to be itemized. (11 CFR §104.3(a)(4)(i)) Please submit your reports in this manner.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 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) 219-3580.

Sincerely,

7 L

Todd Schumacher
Reports Analyst
Reports Analysis Division

442

996400433971250294978



ROBERT KRUEGER
P.O. Box 31717
New Braunfels, Texas 78134-1717
281-683-7347

SECRETARY OF THE SENATE

9 OCT 11 PM 1:03

H.D.

October 10, 1994

Secretary of the Senate
Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510-7116

Re Bob Krueger Campaign C00279414
Reference 30 Day Post-Runoff Report (5/17/93-6/30/93)

Dear Sir or Madam:

Attached is an amendment to the committee's 30 day post-runoff report, covering the period from May 17 through June 30, 1993. Copies of our original report returned to us along with the Commission's inquiry received August 2, 1994 reference several contributions. The following explanations should clear up any discrepancies

- 1 Contributor Thomas Dunning had an over-maxed contribution of \$2,000.00, received May 28, 1993. This was re-designated to Sally Dunning to be applied evenly to the Special 1993 and Special-Runoff 1993 elections. A \$300.00 contribution received August 4, 1993 was re-designated to Meredith Dunning to be applied to the Special-Runoff 1993 election.
- 2 Contributor Walter G. Hall made an over-max contribution of \$1,000.00 to the Special-Runoff 1993 election on May 21, 1993. This was refunded on May 22, 1993 by a check from this committee.
- 3 Contributor Dora Johnson made a \$300.00 contribution on March 20, 1993. She then made a \$2,000.00 contribution on May 9, 1993. This contribution was deposited; \$1,000.00 was applied to the Special-Runoff 1993 election and the remaining \$1,000.00 was refunded on May 9, 1993 by a check from this committee. This leaves Ms. Johnson with \$300.00 applied to the Special 1993 election, and \$1,000.00 applied to the Special-Runoff 1993 election.
- 4 Contributor Richard R. Morrison gave a contribution of \$1,000.00 for the Special-Runoff 1993 election on May 14, 1993. This contribution was returned by our bank for NSF on May 20, 1993. Contributor Morrison's check was re-deposited by this committee on May 27, 1993 and this time cleared. Thus Mr. Morrison shows contributions of \$1,000.00 to the Special 1993 election and \$1,000.00 to the Special-Runoff 1993 election.
- 5 The Committee for Justice is not a political committee drawn on federally acceptable funds, as this committee originally thought. Thus, this committee has refunded \$500.00 to the Committee for Justice. This refund will be reflected on the appropriate report.

Secretary of the Senate
October 10, 1994

Page 2

6. The original Schedule C (loan schedule) contained calculations that were incorrect. Please find attached a corrected Schedule C.
7. Two 48 Hour notices reflect contributions that the Commission says do not appear on the relevant Schedule A. The first contribution was incorrectly reported on the 48 Hour report to have come from Dr. Charles Van Der Horst. The correct Schedule A reports the contribution from Dr. Laura Svedney, the co-signator on the check. The second contribution of \$2,500.00 was reported on the 48 Hour report from the Democratic Senatorial Campaign Committee. Due to a programming error, this contribution was not originally reported. Please find attached a revised Schedule A for Line 11(b) reflecting this contribution.
8. There is an apparent discrepancy between Schedule C and Schedule B for Line number 19. The original Schedule C contained incorrect calculation (see number 6 above); there were no loan repayments made during this period, as correctly reflected on Line number 19 and on the detailed summary page. Please find attached a corrected Schedule C.
9. The occupation and name of employer for each contributor are itemized as required on Schedule A. Each and every contributor was requested to provide this information at the time of the initial solicitation. In addition, a full-time volunteer did nothing but call contributors and request this information from them, in compliance with 11 CFR Statute 104.7(b).
10. The loan reported on Schedule C came from Senator Krueger's own personal funds from his bank here in New Braunfels. They were not borrowed from any lending institution.
11. The Bob Krueger Campaign reported within 48 hours all contributions of \$1,000.00 or more received between two and twenty days before an election including Saturdays. The only day we did not file a report was for Monday, May 31, 1993, which was Memorial Day and we received no contributions on that day. I have kept copies of all reports and your faxed acknowledgments of receipt and can provide these at your request.
12. This committee filed our report for Schedule A, Line 11(a) reflecting all contributions received. At the time we filed this report, we were not aware of the necessity to file two separate reports: one reflecting aggregate totals for the year of under \$200, and one reflecting aggregate totals for the year of over \$200. All future reports will be submitted in this manner.

Please advise if there are any further discrepancies with this report.

Sincerely,

Nina Quinn
Nina Quinn
Campaign Treasurer

Enclosures

TELECON

October 14, 1994

Committee: Bob Krueger Campaign
Subject: Failure to File 48-Hour Notice for \$100,000 candidate loan
FEC REP: Todd Schumacher
Committee REP: Nina Guinn, Treasurer

I called Ms. Guinn because her response to my letter on the 30R stated that the committee had filed all the required 48-Hour Notices and had copies of the Notices and the acknowledgements of receipt. I asked her if these claims included the \$100,000 loan from the candidate.

She said she did not know because she did not prepare the reports; she "...just signed them." She said she would ask the person who prepared the reports, Britt Jackson, to call me today.

9604321000

TELECON

October 20, 1994

Committee: Bob Krueger Campaign
Subject: Failure to file 48-Hour Notice for \$100,000 candidate loan
FEC REP: Todd Schumacher
Committee REP: Britt Jackson

Ms. Jackson called to say that she had talked to the committee treasurer, Nina Guinn, and that Ms. Guinn had asked her to call me. Ms. Jackson said that she did not know whether or not the committee had filed a 48-Hour Notice for the \$100,000 loan because the records were not readily accessible. She added that "...it probably didn't occur to..." her to file a Notice for the loan and that she thought it was "...unusual..." that a Notice would be required for a loan.

She said that she would research the situation further and return a call to me this afternoon.

96043721001

FEDERAL ELECTION COMMISSION

999 E Street, N.W.
Washington, D.C. 20455

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

6 12 20 PM '95

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral: 94L-37

Date Activated: 11/30/94

Staff Members: Maria Fernandez-Greczmiel
Clinett Short

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

RESPONDENTS: The Bob Krueger Campaign
and Nina Guinn, Treasurer

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

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on November 15, 1994 (See Attachment 1). The basis for the referral is the failure of the Bob Krueger Campaign and Nina Guinn, Treasurer, ("Respondents") to file one forty-eight hour notification ("48 Hour Notice") for a candidate loan totaling \$100,000. The candidate, Robert Krueger lost the 1993 Senate Special Runoff Election in the State of Texas with thirty-three percent (33%) of the vote.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis (See Attachment 2), this Office recommends the Federal Election Commission ("Commission") find reason to believe the Respondents violated 2 U.S.C. § 434(a)(6)(A).

96043721002

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the Bob Krueger Campaign, and Nina Guinn, Treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

Date

2/3/95

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

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

96043721003

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

The Bob Krueger Campaign and
Nina Guinn, Treasurer.

)
) RAD Referral
) #94L-37
) MUR 4185

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 9, 1995, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral #94-37:

1. Open a MUR.
2. Find reason to believe that the Bob Krueger Campaign and Nina Guinn, Treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into conciliation 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 February 3, 1995.

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

Attest:

2/10/95
Date

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

Received in the Secretariat: Mon., Feb. 06, 1995 12:20 p.m.
Circulated to the Commission: Mon., Feb. 06, 1995 4:00 p.m.
Deadline for vote: Thurs., Feb. 09, 1995 4:00 p.m.

lrd

96043721004



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 16, 1995

Ms. Nina Guinn, Treasurer
The Bob Krueger Campaign
228 South Sequin Street
New Braunfels, TX 78131

RE: MUR 4185
The Bob Krueger Campaign and
Nina Guinn, as Treasurer

Dear Ms. Guinn:

On February 9, 1995, the Federal Election Commission found that there is reason to believe that the Bob Krueger Campaign ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), 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.

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.

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 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.

96043721005

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Nina Guinn
The Bob Krueger Campaign
Page 2

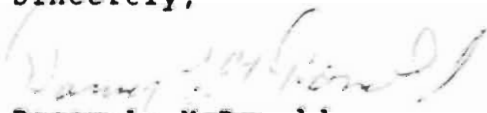
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 Maria Fernandez, the attorney assigned to this matter, at (202) 219-3490.

Sincerely,


Danny L. McDonald
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

cc: Robert Krueger

FEDERAL ELECTION COMMISSION
FACTUAL & LEGAL ANALYSIS

RESPONDENTS: Bob Krueger Campaign,
and Nina Guinn, Treasurer MUR: 4185

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

96043721007

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

According to 2 U.S.C. § 431(8)(A) and 11 C.F.R. § 100.7(a)(1)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid.

The Senate Special Runoff Election in the state of Texas

was held on June 5, 1993. Pursuant to the Act, the Respondents were required to notify the Commission, in writing, of all contributions of \$1,000 or more received from May 17 to June 2, 1993, within 48 hours of their receipt. A review of the Committee's 1993 30 Day Post-Runoff Report identified one contribution received on June 2, 1993, of \$1,000 or more and totaling \$100,000. The contribution was reported on Schedule C as a loan to the Committee from the personal funds of the candidate, Robert Krueger. The Committee did not submit a 48 Hour Notice for this contribution.

Therefore, there is reason to believe that the Bob Krueger Campaign and Nina Guinn, Treasurer, violated 2 U.S.C. § 434(a)(6)(A) by failing to report campaign contributions of \$1,000 or more, received after the 20th day, but more than 48 hours before the Senate Special Runoff Election, within 48 hours of receipt of the contribution.

96043721000

STATEMENT OF DESIGNATION OF COUNSEL

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

MAR 10 11 24 AM '95

MUR 4185

NAME OF COUNSEL: Leslie Kerman

ADDRESS: Epstein, Becker & Green

1227 25th St., N.W., Suite 700

Washington, D.C. 20037

TELEPHONE: 202/861/1877

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAR 10 11 43 AM '95

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.

March 2, 1995
Date

Nina Guinn
Signature

RESPONDENT'S NAME: Nina Guinn

ADDRESS: Bob Krueger Campaign

P.O. Box 311717

New Braunfels, TX 78131-1717

HOME PHONE: _____

BUSINESS PHONE: 210/625/7347

96043721009



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 15, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Leslie Kerman, Esq.
Epstein, Becker & Green
1227 25th Street, N.W.
Suite 700
Washington, D.C. 20037

RE: MUR 4185
The Bob Krueger Campaign and
Nina Guinn, as Treasurer

Dear Ms. Kerman:

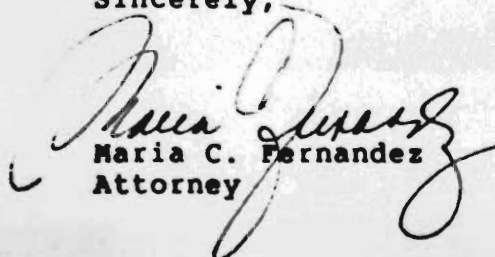
This letter is to confirm the Federal Election Commission's receipt of the Statement of Designation of on behalf of Nina Guinn, Treasurer of the Bob Krueger Campaign in the above caption matter.

On February 16, 1995, Ms. Guinn was notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date, Ms. Guinn was sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, we have not received a response to the proposed agreement or any additional information which would help expedite this matter. The 30 day period for negotiations will soon expire. Unless we receive a response from you by March 23rd, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

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

Sincerely,


Maria C. Fernandez
Attorney

96043721010

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAR 21 1 16 PM '95

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 351-4500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2801
(310) 556-8861

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

ONE RIVERFRONT PLAZA
NEWARK, NEW JERSEY 07102-8401
(201) 642-1900

75 STATE STREET
BOSTON, MASSACHUSETTS 02109
(617) 342-4000

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW
1227 25TH STREET, N.W.
WASHINGTON, D.C. 20037-1156

(202) 861-0900
TELECOPIER: (202) 296-2662
DIRECT LINE

LEGAL & CONFIDENTIAL

2 EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5994
(415) 398-3500

12750 MERIT DRIVE
DALLAS, TEXAS 75251-1209
(214) 490-3143

116 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32301-1530
(904) 681-0886

2400 SOUTH DIXIE HIGHWAY, SUITE 100
MIAMI, FLORIDA 33133
(305) 856-1100

510 KING STREET, SUITE 301
ALEXANDRIA, VIRGINIA 22314-3132
(703) 684-1204

* P.C. NEW YORK, WASHINGTON, D.C., NEW JERSEY,
CONNECTICUT, VIRGINIA AND TEXAS ONLY

March 21, 1995

HAND-DELIVERED

Maria Fernandez, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Room 657
Washington, DC 20463

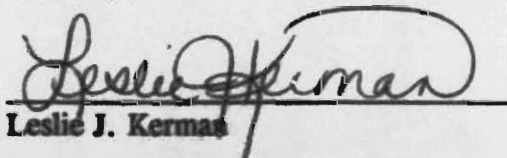
**RE: M.U.R. 4185: Respondent The Bob Krueger
Campaign and Nina Gahn, as Treasurer**

Dear Ms. Fernandez:

Enclosed please find an executed Statement of Designation of Counsel in the above-referenced matter.

I will contact you shortly to discuss same.

Sincerely,


Leslie J. Kerman

Enclosure

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4185

NAME OF COUNSEL: Leslie Kerman

ADDRESS: Epstein, Becker & Green
1227 25th St., N.W., Suite 700
Washington, D.C. 20037

TELEPHONE: 202/861/1877

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAR 21 1 17 PM '95

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.

March 2, 1995
Date

Nina Guinn
Signature

RESPONDENT'S NAME: The Bob Krueger Campaign and Nina Guinn, as Treasurer

ADDRESS: Bob Krueger Campaign
P.O. Box 311717
New Braunfels, TX 78131-1717

HOME PHONE: _____

BUSINESS PHONE: 210/625/7347

96043721012

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1227 25TH STREET, N.W.

WASHINGTON, D.C. 20037-1156†

(202) 861-0900

TELECOPIER: (202) 296-2882

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TALLAHASSEE, FLORIDA 32301-1530
(904) 681-0598**

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MIAMI, FLORIDA 33133
(305) 856-1100**

**510 KING STREET, SUITE 301
ALEXANDRIA, VIRGINIA 22314-3122†
(703) 684-1204**

† P.C. NEW YORK, WASHINGTON, D.C., NEW JERSEY
CONNECTICUT, VIRGINIA AND TEXAS ONLY

April 3, 1995

HAND-DELIVERED

**Maria Fernandez, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Room 657
Washington, DC 20463**

**RE: M.U.R. 4185: RESPONDENT THE BOB KRUEGER
CAMPAIGN AND NINA GUINN, AS TREASURER**

Dear Ms. Fernandez:

This constitutes the response of the Bob Krueger Campaign and Nina Guinn, as Treasurer ("the Committee") to the Commission's reason-to-believe finding and proposed Conciliation Agreement in the above-referenced matter.

FACTS

The relevant facts are quite straightforward:

- 1. Senator Krueger was a candidate in the Senate Special Run-Off Election in the State of Texas held on June 5, 1993.**
- 2. The Committee was required to notify the Commission, in writing, of all contributions of \$1,000 or more which it received from May 17, 1993 through June 2, 1993.**

RECEIVED
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COMMISSION
OFFICE OF GENERAL
COUNSEL
APR 4 10 05 AM '95

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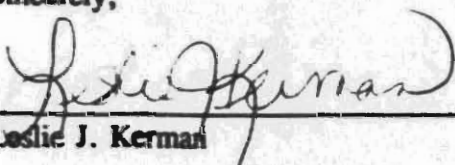
Maria Fernandez, Esquire
April 3, 1995
Page 2

3. The Committee in fact did file multiple 48-Hour notices with the Commission during this period, reflecting its receipt of contributions of \$1,000 or more.
4. One June 2, 1993, Senator Krueger made a \$100,000 loan to the Committee from his personal funds. This loan was properly reported on the Committee's Post-General Election Report.
5. The Committee staffer who prepared and filed the Committee's 48-Hour notices did not realize that the receipt of loan proceeds, as opposed to the receipt of contribution checks, triggered a 48-Hour notice requirement. Due to this mistaken understanding of the Commission's 48-Hour notice requirements, no such notice was prepared or filed.
6. The non-filing of this 48-Hour notice was simply an honest mistake. The Committee acted with no intentional or willful disregard for the Commission's reporting requirements.
7. The Committee devoted significant time and resources to compliance functions, and used its "best efforts" to satisfy all Commission requirements.
8. The Committee currently has no cash-on-hand.
9. Senator Krueger presently serves as the U.S. Ambassador to Burundi. In this position, he is prohibited from engaging in political fundraising activities.

96043721014

Maria Fernandez, Esquire
April 3, 1995
Page 3

Sincerely,



Leslie J. Kerman

916043721015

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1227 26TH STREET, N.W.

WASHINGTON, D.C. 20037-11801

(202) 261-0000

TELECOPIER: (202) 294-2552

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**280 PARK AVENUE
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**1275 CENTURY PARK EAST
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(310) 550-0001**

**SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2700
(203) 340-3737**

**ONE RIVERFRONT PLAZA
NEWARK, NEW JERSEY 07102-0401
(201) 540-1000**

**75 STATE STREET
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(617) 342-4000**

**2 EMBASSY SQUARE
SAN FRANCISCO, CALIFORNIA 94111-0004
(415) 388-2000**

**12750 MERIT DRIVE
DALLAS, TEXAS 75261-1001
(214) 450-0143**

**116 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32301-1000
(904) 691-0000**

**2400 SOUTH DIKIE HIGHWAY, SUITE 100
MIAMI, FLORIDA 33133
(305) 555-4000**

**510 KING STREET, SUITE 201
ALEXANDRIA, VIRGINIA 22314-0101
(703) 684-1004**

April 13, 1995

**P.A. NEW YORK, WASHINGTON, D.C., NEW JERSEY
CONNECTICUT, VIRGINIA AND TEXAS ONLY**

VIA FACSIMILE (202/219-3923)

**Maria Fernandez, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Room 657
Washington, DC 20463**

**RE: M.U.R. 4185: RESPONDENT THE BOB KRUEGER
CAMPAIGN AND NINA GUINN, AS TREASURER**

Dear Ms. Fernandez:

Per your request, this is to confirm several items which we discussed over the phone:

- 1. The Bob Krueger Campaign ("the Committee") paid all of its campaign debt by June 30, 1994. The Committee's July 31, 1994 Mid-Year Report also served as a Termination Report.**
- 2. It is our understanding that Bob Krueger was sworn in as U.S. Ambassador to Burundi on June 5, 1994.**
- 3. Pursuant to federal law, Ambassador Krueger may not knowingly "personally solicit, accept or receive a political contribution from another person." 5 C.F.R. § 734.303. This prohibition has been confirmed to us by the Office of the Legal Adviser of the United States Department of State.**

96043721016

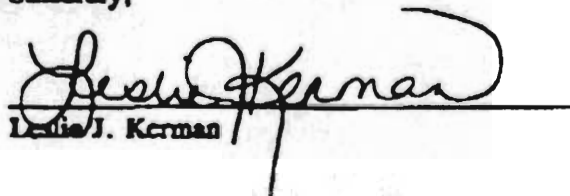
Maria Fernandez, Esquire
April 13, 1995
Page Two

4. Due to the severe political unrest and violence in Burundi, Ambassador Krueger's wife and two small children were ordered to leave Burundi last month.

As also discussed and as you requested that I confirm in writing, given the totality of the circumstances, I am volunteering my services to the Committee in connection with this enforcement action. Thus, our firm will charge the Committee only for out-of-pocket expenses and for services provided by employees other than myself.

Please call me if you have any further questions.

Sincerely,


Leslie J. Korman

96043721017



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

May 8, 1995

SENT BY REGISTERED MAIL

Ms. Leslie J. Kerman
Epstein Becker & Green, P.C.
Attorneys at Law
1227 25th Street, N.W.
Washington, D.C. 20037

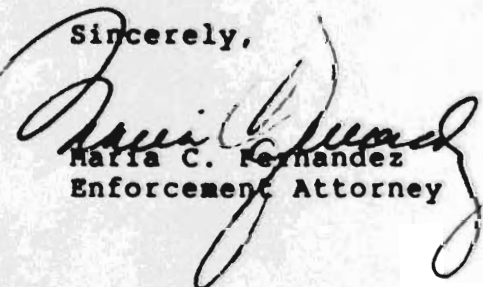
RE: MUR 4185

Dear Ms. Kerman:

Please forward to your client, Ms. Nina Guinn, the enclosed letter addressed to her as treasurer of the Bob Krueger Campaign Committee. The letter informs her that the Bob Krueger Campaign Committee will not be terminated pursuant to 2 U.S.C. § 433(d) and 11 C.F.R. § 102.3 because of the above-captioned enforcement matter. Ms. Guinn, as the treasurer for the committee, is reminded that she must continue to file the required reports with the Commission until such time as the enforcement matter has been closed as to the Committee.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,


Maria C. Fernandez
Enforcement Attorney

Enclosure

96043721018

BEFORE THE FEDERAL ELECTION COMMISSION

MAY 19 3 17 PM '95

In the Matter of
Bob Krueger Campaign,
and Nina Guinn, Treasurer

)
)
) MUR 4185
)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 10, 1995, the Commission found reason to believe that the Bob Krueger Campaign, and Nina Guinn, Treasurer, ("Respondents"), violated 2 U.S.C. § 434(a)(6)(A) by failing to file one forty-eight hour notification ("48 Hour Notice") for a candidate loan totaling \$100,000.00.

On that day, the Commission voted to enter into pre-probable cause conciliation negotiations with Respondents and approved a proposed civil penalty

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96043721000
Counsel explains Respondents' failure to file the 48-hour notice as a misunderstanding by a campaign staffer of the Commission's filing requirement. Notice, however, was sent to the Committee on May 13, 1993, which specifically discussed the 48-hour reporting requirement for candidate loans. (See Attachment 4).

Counsel further argues that Ambassador Krueger presently serves as the U.S. Ambassador to Burundi. Because of political unrest in Burundi, the Ambassador's family has been ordered to return to the United States. Counsel stresses that because of his position, Ambassador Krueger is prohibited by federal law from engaging in any political fundraising activities. (See Attachment 3 at p. 1). Counsel also argues that Respondents have paid all their debts as indicated on their July 31, 1994, Year End Report, have repaid the candidate loan for \$100,000.00 to Ambassador Krueger, and, therefore, have no cash at hand. In addition, counsel states she is volunteering her services to the committee and only charging the Committee for out of pocket expenses.

These reasons, however, do not justify Respondent's counteroffer

96043721091

In addition, this Office recommends proceeding to the next stage of the enforcement process.

II. RECOMMENDATIONS

1. Reject the counteroffer submitted on behalf of the Bob Krueger Campaign, and Nina Guinn, as treasurer.
2. Cease pre-probable cause conciliation negotiations and move to the next stage of the enforcement process.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

5-19-75
Date

BY:

Lois G. Lerner
Lois G. Lerner
Associate General Counsel

96043721092



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20461

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / LISA R. DAVIS *L.R.D.*
COMMISSION SECRETARY

DATE: MAY 25, 1995

SUBJECT: MUR 4185 - GENERAL COUNSEL'S REPORT
DATED MAY 19, 1995.

The above-captioned document was circulated to the Commission on MONDAY, MAY 22, 1995 at 11:00 a.m..

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner McDonald	<u>XXX</u>
Commissioner McGarry	_____
Commissioner Potter	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda for TUESDAY, JUNE 6, 1995.

Please notify us who will represent your Division before the Commission on this matter.

96043721033

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 4185
Bob Krueger Campaign,)
and Nina Guinn, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on June 6, 1995, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 4185:

1. Reject the counteroffer submitted on behalf of the Bob Krueger Campaign, and Nine Guinn, as treasurer.
2. Cease pre-probable cause conciliation negotiations and move to the next stage of the enforcement process.
3. Approve the appropriate letter as recommended in the General Counsel's May 19, 1995 report.

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

Attest:

6-8-95
Date

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

96043721074



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 14, 1995

Ms. Leslie J. Kerman, Esquire
Epstein, Becker and Green, P.C.
Attorneys at Law
1227 25th Street, N.W.
Washington, D.C. 20037

RE: MUR 4185
Bob Krueger Campaign and Nina
Guinn, as treasurer

Dear Ms. Kerman:

This letter is to confirm the Federal Election Commission's receipt of the counter-proposed conciliation agreement submitted on behalf of the Bob Krueger Campaign (the Committee) and Nina Guinn, treasurer, by letter dated April 3, 1995. The Commission has reviewed and rejected the counter-proposal on June 6, 1995, and has directed this Office to move to the next stage of the Enforcement process.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maria C. Fernandez", is written over the typed name and title.

Maria C. Fernandez
Enforcement Attorney

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1227 20TH STREET, N.W.

WASHINGTON, D.C. 20037-1186

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TELECOPIER: (202) 866-2882

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(617) 348-4000RECEIVED
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OFFICE OF GENERAL
COUNSEL

Jun 16

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DALLAS, TEXAS 75241-1204
(214) 400-2143105 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32301-1000
(904) 661-00008400 SOUTH DIKE HIGHWAY, SUITE 100
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CONNECTICUT, VIRGINIA AND TEXAS ONLY**FACSIMILE**

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If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone (collect). Thank you.

TO: Maria Fernandez
FROM: Leslie J. Kerman
DATE: June 16, 1995
TIME: 2:20 pm
CLIENT: Election Law
FAX #: 202-219-3923
PAGES: 1 (Excluding Cover)

MESSAGE

96043721006

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL.. FRIDAY, JUNE 16, 1995 A23

JUN 16 4 15 PM '95

THE WASHINGTON POST

THE FEDERAL PAGE

The ambassadorial life is not all caviar and black-tie dinners. Ask our man in Burundi, former Texas congressman Robert Krueger, a hands-on type who travels everywhere in the war-torn country, narrowly escaped an ambush by gunmen Wednesday that left two people dead and eight wounded. The two killed in the shootout near the Zaire border were a Burundian army officer and a military observer from the Organization of African Unity.

The ambush failed when a U.S. diplomatic security officer jumped out and returned fire, apparently allowing the motorcade to escape. A second officer was cut by glass or shrapnel during the attack but was not hospitalized. One bullet hit Krueger's car.

Fighting between majority Hutus and the Tutsi minority in Burundi has killed some 100,000 people in the last two years. Krueger's family and non-official folks left months ago.

"We're not going to lock him up in the embassy," a State Department official said yesterday, but the feeling is he maybe ought to be bit more careful out there.

96043721027

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION Jun 27 10 03 AM '95

In the Matter of
Bob Krueger Campaign,
and Nina Guinn, Treasurer

)
)
) MUR 4185
)

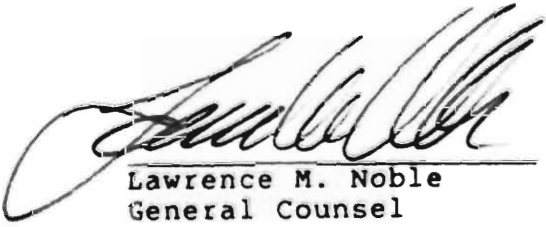
SENSITIVE

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to the Bob Krueger Campaign, and Nina Guinn, treasurer, based on the assessment of the information presently available.

9604372108
Date

6/26/95


Lawrence M. Noble
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

JUN 27 10 03 AM '95

June 27, 1995

Ms. Leslie J. Kerman, Esquire
Epstein, Becker and Green, P.C.
Attorneys at Law
1227 25th Street, N.W.
Washington, D.C. 20037

SENSITIVE

RE: MUR 4185
Bob Krueger Campaign and Nina
Guinn, as treasurer

Dear Ms. Kerman:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on February 10, 1995, the Commission found reason to believe that your clients, violated 2 U.S.C. § 434(a)(6)(A), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

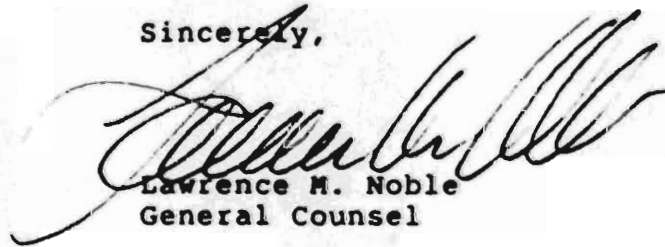
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Ms. Leslie J. Kerman, Esquire
MUR 4185
Page 2

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Maria C. Fernandez, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

9604372100

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Bob Krueger Campaign,) MUR 4185
and Nina Guinn, Treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On February 9, 1995, the Commission found reason to believe that Respondents violated 2 U.S.C. § 434(a)(6)(A) by failing to file one 48 hour notice for a candidate loan totaling \$100,000.00 based on information ascertained in the normal course of carrying out its supervisory responsibilities.

II. ANALYSIS

The Federal Election Campaign Act of 1971, as amended (the Act), provides that the principal campaign committee of a candidate shall notify the Commission, in writing, of any contribution of \$1,000.00 or more received by any authorized committee of such candidate after the 20th day, but not more than 48 hours before any election. This notification shall be made within 48 hours after the receipt of such contribution and shall include the name of the candidate and the office sought by the candidate, the identification of the contributor, and the dates of receipt and amount of the contribution. 2 U.S.C. § 434(a)(6)(A). The Act requires the 48 hour notification in addition to all other reporting requirements under the Act. 2 U.S.C. § 434(a)(6)(B).

9604372101

The Senate Special Run-off Election in the state of Texas, in which Robert Krueger was a candidate, was held on June 5, 1993. Pursuant to the Act, the Respondents were required to notify the Commission, in writing, of all contributions of \$1,000.00 or more received from May 17 to June 2, 1993, within 48 hours of their receipt. On June 2, 1993, Respondents received a contribution in the form of a loan in the amount of \$100,000.00 from the candidate. Respondents did not submit a 48 hour notice for this contribution.

Respondents do not dispute that they failed to file a 48 hour notice with the Commission. Rather, they contend that they were unaware that the receipt of a loan triggered a 48 hour notice and that their failure to file resulted from a misunderstanding by a campaign staffer of the notice requirements of 2 U.S.C. § 434(a)(6)(A). Notice, however, was sent to the Respondents on May 13, 1993, which specifically discussed the 48 hour reporting requirement for candidate loans.

In addition, Respondents note that although the Committee failed to file the required 48 hour reports, it reported the loan in the Committee's Post-General Election Report. Under the provision of 2 U.S.C. § 434(a)(2)(A)(ii), however, the principle campaign committee for a candidate for the House of Representatives or for the Senate must file a post-general election report no later than the 30th day after any general election in which such candidate has sought election and which shall be complete as of the 20th day after such general election. The Act does not provide for the substitution

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of the 48 hour notification by any other reporting requirements imposed by the Act. 2 U.S.C. § 434(a)(6)(B).

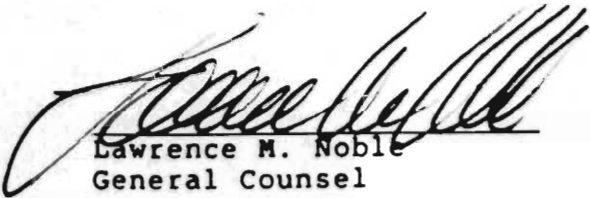
Accordingly, there is reason to believe that the Bob Krueger Campaign, and Nina Guinn, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).

III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe that the Bob Krueger Campaign, and Nina Guinn, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).

Date

6/26/95


Lawrence M. Noble
General Counsel

96043721073

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1227 25TH STREET, N.W.

WASHINGTON, D.C. 20037-1156†

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(212) 381-4500**

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STAMFORD, CONNECTICUT 06901-8704†
(203) 348-3737**

**ONE RIVERFRONT PLAZA
NEWARK, NEW JERSEY 07102-8401†
(201) 642-1900**

**78 STATE STREET
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(617) 342-4000**

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(904) 681-0586**

**2400 SOUTH DIXIE HIGHWAY, SUITE 100
MIAMI, FLORIDA 33133
(305) 856-1100**

**510 KING STREET, SUITE 301
ALEXANDRIA, VIRGINIA 22314-3132†
(703) 684-1204**

†P.C. NEW YORK, WASHINGTON, D.C., NEW JERSEY,
CONNECTICUT, VIRGINIA AND TEXAS ONLY

July 5, 1995

HAND-DELIVERED

**Maria C. Fernandez, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Room 657
Washington, DC 20463**

**RE: M.U.R. 4185: RESPONDENT THE BOB KRUEGER
CAMPAIGN AND NINA GUINN, AS TREASURER**

Dear Ms. Fernandez:

We are writing to request an extension-of-time of eighteen (18) days, from July 13, 1995 to July 31, 1995, in which to respond to the General Counsel's brief and recommendations in the above-referenced matter.

This extension-of-time is necessary for us to be able to confer on this action with Ambassador Krueger, who is currently on duty in Burundi but will be in the United States for a period beginning on or around July 12, 1995.

Thank you for your assistance. If you have any questions regarding this request, please do not hesitate to call me at (202) 861-1877.

Sincerely,


Leslie J. Kerman

JUL 6 10 03 AM '95

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

96043721074



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 6, 1995

Ms. Leslie J. Kerman, Esquire
Epstein, Becker and Green, P.C.
Attorneys at Law
1227 25th Street, N.W.
Washington, D.C. 20037

RE: MUR 4185
Bob Krueger Campaign and Nina
Guinn, as treasurer

Dear Ms. Kerman:

This is in response to your letter dated July 5, 1995, which we received on July 6, 1995, requesting an extension of 18 days to respond to the General Counsel's brief and recommendations in the above-referenced matter. Your response was originally due on July 13, 1995. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on July 31, 1995.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Maria C. Fernandez
Enforcement Attorney

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

96043721075



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 2, 1995

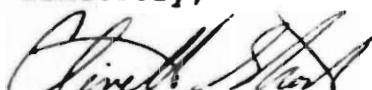
Ms. Leslie J. Kerman, Esquire
Epstein, Becker and Green, P.C.
Attorneys at Law
1227 25th Street, N.W.
Washington, D.C. 20037

RE: MUR 4185
Bob Krueger Campaign and Nina
Guinn, as treasurer

Dear Ms. Kerman:

This Office is notifying you that your response to the General Counsel's brief was due on July 31, 1995. Since your request for an extension of time for 18 days has elapsed, and we have not received a response, this Office is prepared to recommend that the Commission find probable cause to believe and proceed to the next stage of enforcement.

Sincerely,


Clint Short
Paralegal

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

96043721076

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COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

Aug 30 9 46 AM '95

In the Matter of
Bob Krueger Campaign,
and Nina Guinn, Treasurer

)
) MUR 4185
)
)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 9, 1995, the Commission found reason to believe that Respondents violated 2 U.S.C. § 434(a)(6)(A) by failing to file one 48-hour notice for a candidate loan totaling \$100,000.00 based on information ascertained in the normal course of carrying out its supervisory responsibilities. The General Counsel's Brief was forwarded to Respondents by letter dated June 27, 1995. Respondents requested an extension of time to respond to the General Counsel's Brief from July 13, 1995, until July 31, 1995. Because they failed to respond by July 31, 1995, a reminder letter was sent to Respondents on August 2, 1995, but no response has been received to this letter or to the General Counsel's Brief.

II. ANALYSIS

This Office's analysis of this matter is contained in the General Counsel's Brief dated June 26, 1995. Since to date Respondents have failed to submit a responsive brief, the Office of the General Counsel recommends that the Commission find probable cause to belief that Bob Krueger Campaign and Nina Guinn, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).

9 6 0 4 3 7 2 1 0 3 7

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Find probable cause to believe that Bob Krueger Campaign and Nina Guinn, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).
2. Approve the attached conciliation agreement and appropriate letter.

8/29/95

Date


Lawrence H. Noble
General Counsel

Attachments:

1. Conciliation Agreement

Staff assigned: Maria C. Fernandez/Clinett Short

96043721038

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Bob Krueger Campaign
and Nina Guinn, Treasurer.

)
)
)
)

MUR 4185

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 5, 1995, the Commission decided by a vote of 6-0 to take the following actions in MUR 4185:

1. Find probable cause to believe that Bob Krueger Campaign and Nina Guinn, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).
2. Approve the conciliation agreement and appropriate letter, as recommended in the General Counsel's Report dated August 29, 1995.

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

Attest:

9-5-95
Date

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

Received in the Secretariat:	Wed., Aug. 30, 1995	9:46 a.m.
Circulated to the Commission:	Wed., Aug. 30, 1995	4:00 p.m.
Deadline for vote:	Tues., Sept. 05, 1995	4:00 p.m.

lrd

96043721079



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 12, 1995

CERTIFIED MAIL RETURN-RECEIPT REQUESTED

Ms. Leslie J. Kerman, Esquire
Epstein, Becker and Green, P.C.
Attorneys at Law
1227 25th Street, N.W.
Washington, D.C. 20037

RE: MUR 4185
Bob Krueger Campaign, and Nina
Guinn, Treasurer

Dear Ms. Kerman:

On September 5, 1995, the Federal Election Commission found that there is probable cause to believe your clients, the Bob Krueger Campaign and its treasurer, Nina Guinn, violated 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with your clients' failure to file one 48-hour notice for a candidate loan made to the committee by the candidate, Robert Krueger.

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission accept the agreement. Please make the check for the civil penalty payable to the Federal Election Commission.

Celebrating the Commission's 20th Anniversary

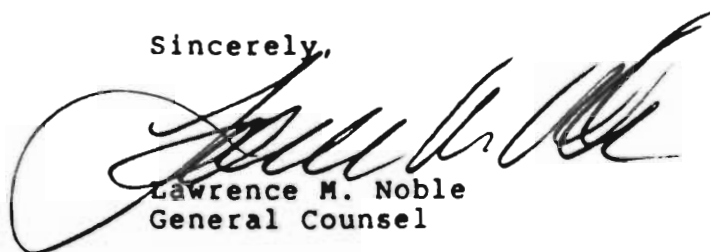
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

96043721010

Ms. Leslie J. Kerman, Esquire
MUR 4185
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Maria C. Fernandez, the attorney assigned to this matter, or Ms. Abigail Shaine, at (202) 219-3400.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

96043721041



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 6, 1995

Ms. Leslie J. Kerman, Esquire
Epstein, Becker and Green, P.C.
Attorneys at Law
1227 25th Street, N.W.
Washington, D.C. 20037

RE: MUR 4185
Bob Krueger Campaign and Nina
Guinn, as treasurer

Dear Ms. Kerman:

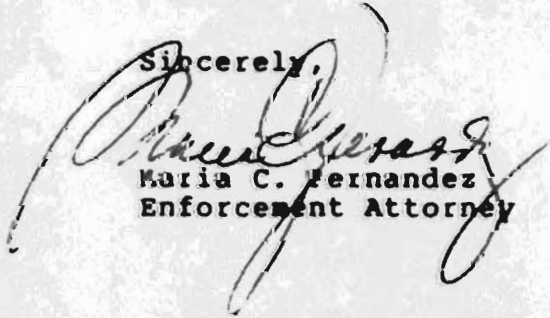
On September 19, 1995, you were notified that the Federal Election Commission found probable cause to believe that your clients, the Bob Krueger Campaign and its treasurer, Nina Guinn, violated 2 U.S.C. § 434(a)(6)(A). On that same date, you received a conciliation agreement offered by the Commission in settlement of this matter.

Pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), the conciliation period in this matter may not extend for more than 90 days, but may cease after 30 days. As of this date, this Office has not heard from you on this matter.

Please note that 30 days will elapse on October 19, 1995. The Office of the General Counsel will recommend that the Commission authorize the filing of a civil suit unless we receive a response from you by then.

Should you have any questions, please contact me at (202) 219-3400.

Sincerely,


Maria C. Fernandez
Enforcement Attorney

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

96043721012



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

10/19/95

OCT 20 2 32 PM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

9604372103

We recently received a check from Craig and
Kathryn Hall, check number 2760, dated
8/11/95, and in the amount of \$1,000.00.
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 NUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$1,000.00, the NUR number is 4185 and in the name of
The Bob Krueger Campaign. The account into
which it should be deposited is indicated below:

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

Anita Alexander
Signature

10-20-95
Date



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

12/8/95

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Bob Krueger
Campaign, check number 3035, dated 11/30/95, and in the amount of \$9,000.00.
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: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$9,000.00, the MUR number is 4185 and in the name of
Bob Krueger Campaign. The account into
which it should be deposited is indicated below:

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

Anita Alexander
Signature

12-8-95
Date

96043721044

MICHAEL A. CADDELL

3035

11-30-95

35-106/1130

PAY TO THE
ORDER OF

Federal Election Commission 9,000.00
Nine thousand & 00/100 DOLLARS



FIRST INTERSTATE BANK
OF TEXAS, N.A.
CHEVRON TOWER OFFICE 12
P.O. BOX 3888
HOUSTON, TEXAS 77288

FOR Bob Krueger

Michael A. Caddell

95045 21045

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

Dec 14 11 09 AM '95

In the Matter of

Bob Krueger Campaign, and
Nina Guinn, Treasurer

)
)
)
)

MUR 4185

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Ms. Leslie J. Kerman, as counsel to Respondents, the Bob Krueger Campaign and Nina Guinn, as treasurer.

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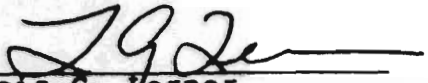
In light of these considerations, this Office recommends that the Commission accept the signed conciliation agreement and close the file in this matter.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Bob Krueger Campaign, and Nina Guinn, Treasurer.
2. Close the file.
3. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

96043721077
Date 12/13/95

BY: 
Lois G. Wernner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of \$1,000.00 check
3. Photocopy of \$9,000.00 check

Staff Assigned: Maria C. Fernandez

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Bob Krueger Campaign and)
Nina Guinn, Treasurer.)

MUR 4185

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 22, 1995, the Commission decided by a vote of 4-0 to take the following actions in MUR 4185:

1. Accept the Conciliation Agreement with the Bob Krueger Campaign and Nina Guinn, Treasurer, as recommended in the General Counsel's Report dated December 13, 1995.
2. Close the file.
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated December 13, 1995.

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

Attest:

12-27-95

Date


Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., Dec. 14, 1995 11:09 a.m.
Circulated to the Commission: Thurs., Dec. 14, 1995 4:00 p.m.
Deadline for vote: Fri., Dec. 22, 1995 4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 4, 1996

Ms. Leslie J. Kerman, Esquire
Epstein, Becker and Green, P.C.
Attorneys at Law
1227 25th Street, N.W.
Washington, D.C. 20037

RE: MUR 4185
Bob Krueger Campaign and Nina
Guinn, as treasurer

Dear Ms. Kerman:

On December 27, 1995, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of your clients in settlement of a violation of 2 U.S.C. § 434(a)(6)(A). Accordingly, the file has been closed in this matter.

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

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

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

Sincerely,


Clinett Short
Paralegal

Enclosure
Conciliation Agreement

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

96043721079

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

DEC 8 11 25 AM '95

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Bob Krueger Campaign,) MUR 4185
and Nina Guinn, Treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (the Commission), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that the Bob Krueger Campaign, and its treasurer, Nina Guinn, (Respondents) violated 2 U.S.C. § 434(a)(6)(A).

NOW, THEREFORE, the Commission and the Respondents, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding.

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 Bob Krueger Campaign (the Committee), is a political committee within the meaning of 2 U.S.C. § 431(4) and the principal campaign committee for Robert Krueger.

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2. Nina Guinn is the treasurer of the Bob Krueger Campaign committee.

3. The Federal Election Campaign Act of 1971, as amended (the Act), requires principal campaign committees of candidates for federal office to notify in writing to the Secretary of the Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000.00 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

4. According to the provisions of 2 U.S.C. § 431(8)(A) and 11 C.F.R. § 100.7(a)(1)(B), a loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid.

5. The Senate Special Run-off Election in the state of Texas, in which Robert Krueger was a candidate, was held on June 5, 1993.

6. On June 2, 1993, Respondents received a contribution of \$100,000.00 in the form of a loan from the candidate, Robert Krueger.

7. The contribution was reported on in the Committee's Schedule C as a loan to the Committee from the personal funds of the candidate, Robert Krueger.

8. The Respondents did not submit a 48 Hour Notice for this contribution.

V. The Respondents failed to report, within 48 hours of receipt, a campaign contribution of \$1,000.00 or more received after the 20th day, but more than 48 hours before the 1993 Senate Special Run-off Election held on June 5, 1993, 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 ten thousand dollars (\$10,000.00), 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 thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

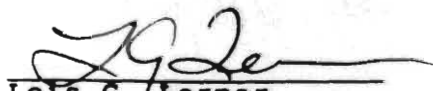
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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Date

1/3/96

FOR THE RESPONDENTS:


Leslie J. Kerman
Counsel for Respondents

Date

12/7/95

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4185
DATE FILMED 2/8/96 CAMERA NO. 4
CAMERAMAN 267

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