

BEFORE THE FEDERAL ELECTION COMMISSION SEP 30 4 12 PM '99

In the Matter of

Dan Hamburg for Congress Committee
and Ted Loring, as treasurer

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MUR 4610

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was generated by an audit of the Dan Hamburg for Congress Committee undertaken in accordance with 2 U.S.C. § 438(b). On July 20, 1999, the Federal Election Commission ("Commission") found reason to believe that the Dan Hamburg for Congress Committee and Ted Loring, as treasurer ("Committee") violated 2 U.S.C. § 434(b)(3)(B).¹ The Commission simultaneously determined to enter into conciliation prior to a finding of probable cause to believe and approved a conciliation agreement

II. COUNTEROFFER

On
September 13, 1999, the Commission received a check in the amount of \$11,000.

¹ The Commission also found reason to believe that the Committee violated 2 U.S.C.

III. DISCUSSION

This Office recommends that the Commission approve the attached signed conciliation agreement that includes a civil penalty of \$11,000. Attachment 2.

§§ 434(b)(3)(A), 432(c)(5), 434(b)(5)(A), 441a(f) and 11 C.F.R. § 104.3(b)(3)(i)(A). However, with respect to these violations, the Commission took no further action.

Based on these circumstances, this Office recommends that the Commission approve the attached conciliation agreement.

IV. GENERAL COUNSEL'S RECOMMENDATION

1. Approve the attached conciliation agreement.
2. Approve the appropriate letters.
3. Close the file.

Lawrence M. Noble
General Counsel

9/30/99
Date

BY: Kim Bright-Coleman
Kim Bright-Coleman
Associate General Counsel

Attachments:

1. Counteroffer from Counsel for Mr. Ted Loring, treasurer for the Committee.
2. Conciliation Agreement