

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

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JUN 10 11 30 AM '99

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 99NF-03
DATE ACTIVATED: 5/28/99

STAFF MEMBER: Dawn Odrowski
Karen White

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Halter Marine Group, Inc. PAC and James Ogden, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A)(i)
11 C.F.R. § 104.5(c)(1)(i)(A)

INTERNAL REPORTS CHECKED: Referral Materials
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of General Counsel received a referral from the Reports Analysis Division on April 16, 1999. The basis of the referral is the failure of the Halter Marine Group Inc. Political Action Committee (HALPAC) and James Ogden, as treasurer, ("Respondents") to file timely their 1998 October Quarterly Report.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends that the Commission find reason to believe that Respondents violated 2 U.S.C. § 434(a)(4)(A)(i).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Halter Marine Group Inc. PAC and James Ogden, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), and enter into conciliation with Respondents prior to a finding of probable cause to believe.
3. Approve the attached proposed Factual and Legal Analysis, conciliation agreement and the appropriate letter.

Lawrence M. Noble
General Counsel

6/19/96
Date

BY:

Lois G. Lerner
Lois G. Lerner
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARY W. DOVE/VENESHE FEREBEE-VINES
COMMISSION SECRETARY

DATE: JUNE 15, 1999

SUBJECT: RAD Referral #99NF-03 - First General Counsel's Report
dated June 9, 1999.

VTV

The above-captioned document was circulated to the Commission
on Thursday, June 10, 1999.

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

| | |
|------------------------|------------|
| Commissioner Elliott | <u>XXX</u> |
| Commissioner Mason | — |
| Commissioner McDonald | <u>XXX</u> |
| Commissioner Sandstrom | — |
| Commissioner Thomas | — |
| Commissioner Wold | — |

This matter will be placed on the meeting agenda for

Tuesday, June 22, 1999. Please notify us who will represent your Division
before the Commission on this matter.