



FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *rd*

DATE: August 25, 1999

SUBJECT: First General Counsel's Rpt. - RAD Ref. 99L-01

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

SENSITIVE
NON-SENSITIVE

☒☐

72 Hour TALLY VOTE

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24 Hour TALLY VOTE

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24 Hour NO OBJECTION

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INFORMATION

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DISTRIBUTION

COMPLIANCE

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Open/Closed Letters

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MUR

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DSP

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STATUS SHEETS

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Enforcement

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Litigation

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RATING SHEETS

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AUDIT MATTERS

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LITIGATION

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ADVISORY OPINIONS

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REGULATIONS

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OTHER

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

RECEIVED
FEDERAL ELECTION COMMISSION
AUG 25 10 08 AM '99

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 99L-01
DATE ACTIVATED: June 24, 1999

STAFF MEMBER: Stephanie Watson
Seth Row

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Heather Wilson for Congress and
David A. Archuleta, as Treasurer

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

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on May 28, 1999. The basis for the referral is the failure of Heather Wilson for Congress and David A. Archuleta, as treasurer, ("the Committee") to file seventy-one (71) 48 Hour Notifications ("48 Hour Notices") for contributions totaling \$104,000. The candidate, Heather Wilson, won the 1998 Special General Election in the State of New Mexico on June 23, 1998 with forty-four percent (44%) of the vote.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, Attachment 1, this Office recommends that the Commission find reason to believe that the respondents violated 2 U.S.C. § 434(a)(6).

2004.398.0345

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Heather Wilson for Congress and David A. Archuleta, as treasurer, violated 2 U.S.C. §434(a)(6) and enter into conciliation prior to finding of probable cause to believe.

2025-04-23 09:03:46


3. Approve the attached Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

Date

8/24/99

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement

20.04.398.0347



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Lawrence M. Noble
General Counsel

FROM: Mary W. Dove/Lisa R. Davis
Acting Commission Secretary

DATE: August 30, 1999

SUBJECT: RAD Referral #99L-01 - First General Counsel's Report

The above-captioned document was circulated to the Commission
on Wednesday, August 25, 1999.

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

Commissioner Elliott —

Commissioner Mason —

Commissioner McDonald —

Commissioner Sandstrom —

Commissioner Thomas —

Commissioner Wold **XXX**

This matter will be placed on the meeting agenda for
Tuesday, September 14, 1999.

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

20-04-398-0348