

MAY - 1 2001

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
) MUR 5161
Lincoln Diaz-Balart for Congress Committee and)
Jose A. Riesco, as treasurer)
)

GENERAL COUNSEL'S REPORT #2

I. ACTIONS RECOMMENDED:

Approve the attached conciliation agreement and close the file.

II. BACKGROUND

On November 28, 2000, the Commission found reason to believe that Lincoln Diaz-Balart for Congress Committee and Jose A. Riesco, as treasurer (collectively the "Committee"), violated 2 U.S.C. §§ 434(b)(1), 441a(f) and 441b(a). The Committee's response is Attachment 1. Attached is a proposed conciliation agreement that has been signed by Jose A. Riesco, the current treasurer of the Committee. Attachment 2. Also attached is a copy of a check provided by the Committee

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The Office of General Counsel recommends that the Commission accept the attached conciliation agreement to resolve the issues that arose in the audit of the Committee for the period 1997 through 1998.

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this Office

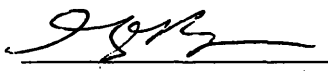
believes that accepting the conciliation agreement would successfully resolve the issues that arose in the audit and enforcement process in this matter.

III. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Lincoln Diaz-Balart for Congress Committee and Jose A. Riesco, as treasurer.
2. Close the file.
3. Approve the appropriate letters.

Lois G. Lerner
Acting General Counsel

5/1/01
Date


Gregory R. Baker
Acting Associate General Counsel

Attachments:

1. Committee Response
2. Conciliation Agreement
3. Photocopy of civil penalty check

Staff Assigned: Duane Pugh

21-04-405-1115