

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2 In the Matter of)

3) MUR 5238

4)
5 Heidi Miller)
6)

7 **CONCILIATION AGREEMENT**

8 This matter was initiated by the Federal Election Commission ("Commission"), pursuant
9 to information ascertained in the normal course of carrying out its supervisory responsibilities.

10 The Commission found reason to believe that Heidi Miller ("Respondent"), violated 2 U.S.C.
11 § 441a(a)(1)(A).

12 NOW, THEREFORE, the Commission and the Respondent, having participated in
13 informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree
14 as follows:

15 I. The Commission has jurisdiction over the Respondent and the subject matter of this
16 proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.
17 § 437g(a)(4)(A)(i).

18 II. Respondent has had a reasonable opportunity to demonstrate that no action should be
19 taken in this matter.

20 III. Respondent enters voluntarily into this agreement with the Commission.

21 IV. The pertinent facts in this matter are as follows:

22 1. The Respondent, *Heidi Miller*, is an individual contributor. Schumer '98 is a political
23 committee within the meaning of 2 U.S.C. § 431(4).

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

JAN 31 9 35 AM '98

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2. Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$1,000.

3. Respondent contributed \$5,000 to Schumer '98 with regard to the 1998 general election by check number 2765, which exceeded the applicable contribution limitation by a total of \$4,000.

4. This contribution was not refunded, reattributed, or redesignated.

V. Respondent contributed \$4,000 to Schumer '98 in excessive contributions in violation of 2 U.S.C. § 441a(a)(1)(A).

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of \$2,000, 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. Respondent shall have no more than 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.

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,

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1 made by either party or by agents of either party, that is not contained in this written agreement

2 shall be enforceable.

3 FOR THE COMMISSION:

4 Lawrence H. Norton

5 General Counsel

6 BY:

7 
8 Gregory R. Baker
Acting Associate General Counsel

3/13/02
Date

9 FOR THE RESPONDENT:

10 
11 Heidi Miller
12

12/21/07
Date

23.04.406.0937