

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Istook for Congress and James R. Hale,  
in his official capacity as treasurer;  
Ernest Istook; Kyle Loveless

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AUDIT REFERRAL 07-03

MUR # 5962

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby  
certify that on December 21, 2007, the Commission decided by a vote of 4-1 to  
take the following actions in Audit Referral 07-03:

1. Open a MUR in Audit Referral 07-03.
2. Find reason to believe that Istook for Congress and James R. Hale, in his official capacity as treasurer, violated 2 U.S.C. § 441b(a) by accepting apparent prohibited contributions.
3. Find reason to believe that Istook for Congress and James R. Hale, in his official capacity as treasurer, violated 2 U.S.C. § 441a(f) by accepting contributions in excess of the limitations of the Act.
4. Find reason to believe that Istook for Congress and James R. Hale, in his official capacity as treasurer, violated 2 U.S.C. § 439a(b) by using campaign funds for personal expenses of the Candidate.
5. Find reason to believe that Ernest Istook violated 2 U.S.C. § 439a(b) by using campaign funds for personal expenses.
6. Find reason to believe that Kyle Loveless violated 2 U.S.C. § 439a(b) by using campaign funds for personal expenses.
7. Find reason to believe that Istook for Congress and James R. Hale, in his official capacity as treasurer, violated 2 U.S.C. §§ 432(c)(5), 434(b)(4), 434(b)(6)(A), and 11 CFR § 104.3(b) by failing to keep an account of and report certain disbursements in its disclosure reports regarding the embezzlement by a campaign worker.
8. Find reason to believe that Istook for Congress and James R. Hale, in his official capacity as treasurer, violated 2 U.S.C. § 434(b) by misstating its cash on hand, receipts and disbursements in years 2003 and 2004.

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Certification for Audit Referral 07-03  
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9. Find reason to believe that Istook for Congress and James R. Hale, in his official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file required 48-hour notices.

10.

[REDACTED]

11. Approve as Factual and Legal Analysis the Report of the Audit Division on Istook for Congress, dated May 18, 2007.

12. Approve the appropriate letters.

Commissioners Lenhard, Mason, Walther, and Weintraub voted affirmatively for the decision. Commissioner von Spakovsky dissented.

Attest:

December 26, 2007  
Date

Darlene Harris  
An Mary W. Dove  
Secretary of the Commission