



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

February 23, 2022

**Via Email**

RE: MURs 7058, 7228 and 7233  
(Margaret Hunter)

Dear Ms. Hunter:

On February 15, 2022, the Federal Election Commission accepted the signed conciliation agreement submitted on your behalf in settlement of a violation of 52 U.S.C. § 30114(b), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 90 days of the conciliation agreement's effective date. Payment can be made by check payable to the Federal Election Commission and mailed to the Federal Election Commission, 1050 First Street NE, Washington DC 20463. Please write "MUR 7058, 7228 & 7233 civil penalty" on the memo line of the check. Alternatively, payment can be made online by using this link: <https://www.pay.gov/public/form/start/316805379>. If you have any questions, please contact me at (202) 694-1021.

Sincerely,

*Richard L. Weiss*

Richard L. Weiss  
Attorney

Enclosure  
Conciliation Agreement

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Conciliation Agreement

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## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MURs 7058, 7228 & 7233  
 )  
 )  
Duncan D. Hunter )  
Margaret Hunter )  
 )

## CONCILIATION AGREEMENT

These matters were initiated by signed, sworn, and notarized complaints with the Federal Election Commission (the “Commission”). The Commission found reason to believe, but not yet probable cause to believe, that Duncan D. Hunter and Margaret Hunter (collectively, “Respondents”) violated 52 U.S.C. § 30114(b) by converting campaign funds to personal use.

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

I. The Commission has jurisdiction over Respondents and the subject matter of this proceeding, and this Agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this Agreement with the Commission.

IV. The pertinent facts of this matter are as follows:

1. Duncan D. Hunter served as a Member of Congress, representing California’s 52nd Congressional District from 2009 to 2013 and California’s 50th Congressional District from 2013 until his resignation on January 13, 2020.

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2. Duncan D. Hunter for Congress (the “Committee”) is Duncan D. Hunter’s principal campaign committee, and Chris Marston is the treasurer of the Committee.

3. Margaret Hunter was Duncan D. Hunter’s wife, served as campaign manager, and received a salary from the Committee for campaign consulting and campaign management services.

4. On March 17, 2020 and August 24, 2020, the U.S. District Court, Southern District of California, dismissed counts charging criminal violations of 52 U.S.C. § 30114(b), which were made against Respondents in federal case number 18-CR-1677--W, for the same expenditures as in the present Matters Under Review. The parties agree that this Conciliation Agreement and any civil penalty thereunder are not intended by either party to, in any way, waive, set aside, or alter the dismissal of the 52 U.S.C. § 30114(b) counts in case number 18-CR-1677--W, nor do they constitute an admission of those charges, nor revive said dismissed charges, nor serve as a basis for any other charges related to said case.

5. Respondents contend that many of the alleged violations are attributable to the nature of a tight-knit, family-run campaign. Respondents further contend that many of the alleged personal disbursements were repaid to the campaign and many of the expenses at issue were in fact in compliance with 52 U.S.C. § 30114(b) and its implementing regulations, as interpreted by the Commission in past Matters Under Review. Respondents have provided detailed explanations that many of the disbursements in question were for dinners and other events that involved documented contributors to Duncan D. Hunter’s campaign indicating they were valid campaign expenses, but admit that in some instances records that would clearly establish the campaign purpose for the expenditures are either absent or inadequate. Therefore, Respondents enter into this Conciliation Agreement and accept non-knowing and willful liability

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for non-compliance with the civil provisions of 52 U.S.C. § 30114(b), which prohibits the conversion of campaign funds to personal use.

V. The pertinent law in this matter is as follows:

1. The Act provides that campaign funds “shall not be converted by any person to personal use,” and defines personal use as using funds “to fulfill any commitment, obligation or expense of a person that would exist irrespective of the candidate’s election campaign or individual’s duties as holder of Federal office.” 52 U.S.C. § 30114(b).

2. The Commission’s implementing regulation enumerates types of disbursements that are *per se* personal use. 11 C.F.R. § 113.1(g)(1)(i). For all other disbursements, the regulation provides that the Commission shall determine on a case-by-case basis whether a given disbursement is personal use by applying the “irrespective test” formulated in the statute. *Id.* § 113.1(g)(1)(ii).

VI. Solely for the purpose of settling this matter only and without admitting liability in this matter or with respect to any other proceeding, Respondents agree not to contest the Commission’s findings. Respondents will pay a civil penalty to the Commission in the amount of twelve thousand dollars (\$12,000).

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters 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 the same and the Commission has approved the entire Agreement.

IX. Respondents shall have no more than 90 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, made by either party or by agents of either party, that is not contained within this written Agreement shall be enforceable.

FOR THE COMMISSION:

Lisa J. Stevenson  
Acting General Counsel

BY:  Digitally signed by Charles Kitcher  
Date: 2022.02.22 12:53:29  
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Charles Kitcher  
Associate General Counsel  
for Enforcement

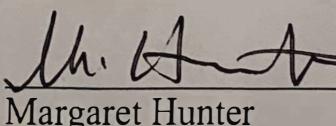
2-22-22  
Date

FOR THE RESPONDENTS:



Duncan Lee Hunter  
Counsel for Duncan D. Hunter

12-16-2021  
Date



Margaret Hunter

12-23-2021  
Date