



FEDERAL ELECTION COMMISSION

MEMORANDUM

March 1, 2022

TO: The Commission

FROM: Lisa J. Stevenson
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SUBJECT: MUR 7887 (Hamilton Company)
Pre-Probable Cause Conciliation and Case Closing Memorandum

On January 11, 2022, the Commission found reason to believe that the Hamilton Company (“Hamilton”) violated 52 U.S.C. § 30119(a)(1), a provision of the Federal Election Campaign of 1971, as amended (the “Act”), by making a prohibited federal contractor contribution to Americans for Prosperity Action and Robert Jentgens in his official capacity as treasurer (“AFP”).¹ The Commission authorized pre-probable cause conciliation and approved a conciliation agreement.²

As discussed below, we recommend that the Commission accept the attached, signed conciliation agreement with Hamilton, dismiss the allegation that AFP violated 52 U.S.C. § 30119(a)(2) by knowingly soliciting federal contractor contributions, and close the file.

¹ Cert. ¶ 2.a, MUR 7887 (Jan. 11, 2022).

² *Id.*, ¶ 2.d.

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17 In addition, at the time the Commission found reason to believe that Hamilton violated
18 the Act, it took no action as to the AFP, the recipient of the prohibited contribution.⁵ We
19 learned of no additional information during our conciliation negotiations that would indicate that
20 AFP knowingly solicited the contribution. Therefore, we now recommend that the Commission
21 dismiss the allegation that the AFP violated 52 U.S.C. § 30119(a)(2) and close the file.

22 **RECOMMENDATIONS**

23 1. Accept the attached signed conciliation agreement Hamilton Company;
24 2. Dismiss the allegation that Americans for Prosperity Action and Robert Jentgens
25 in his official capacity as treasurer violated 52 U.S.C. § 30119(a)(2) by knowingly
26 soliciting federal contractor contributions;
27 3. Approve the appropriate letters; and
28 4. Close the file.

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⁵ Cert. ¶ 2.b, MUR 7887; *see* First Gen. Counsel's Rpt. at 9, MUR 7887.