

NOV 27 2006

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Daniel W. Hynes
Hynes for Senate, and Jeffrey C. Wagner,
in his official capacity as treasurer

MUR 5744

SENSITIVE

GENERAL COUNSEL'S REPORT #3

I. ACTION RECOMMENDED

Accept the attached proposed conciliation agreement with Hynes for Senate and Jeffrey C. Wagner, in his official capacity as treasurer, (the "Committee"), take no further action as to Daniel W. Hynes, and close the file.

II. DISCUSSION

Given the

Commission's determination that the Millionaire's Amendment does not impose personal liability on the opponents of self-funded candidates, we recommend the Commission accept the agreement.

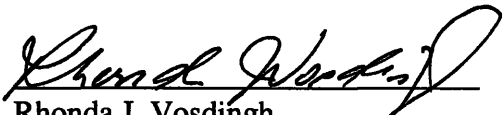
For the same reason, we also recommend that the Commission take no further action as to Mr. Hynes.


III. RECOMMENDATIONS

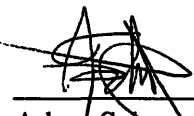
1. Accept the attached conciliation agreement with Hynes for Senate and Jeffrey C. Wagner, in his official capacity as treasurer;
2. Take no further action as to Daniel W. Hynes;
3. Approve the appropriate letters; and
4. Close the file.

Lawrence H. Norton
General Counsel

11/22/06
Date

BY: 
Rhonda J. Vosdigh
Associate General Counsel for Enforcement


Ann Marie Terzaken
Assistant General Counsel


Adam Schwartz
Attorney

Attachment

1. Proposed Conciliation Agreement with Hynes for Senate and Jeffrey C. Wagner, in his official capacity as treasurer, and Daniel Hynes

26044151573