



FEDERAL ELECTION COMMISSION
Washington, DC 20463

February 1, 2001

Jay Lawrence Friedheim.
Friedheim for Senate Committee
820 Mililani Street, Suite 503
Honolulu, HI 96813

Dear Mr. Friedheim:

Enclosed is the signed copy of the agreement between you, as the representative of the Friedheim for Senate Committee, and the Federal Election Commission resolving case ADR 003/MUR 4927 which was approved by the Federal Election Commission yesterday, January 31, 2001.

We are in receipt of your check for five hundred dollars (\$500), being the first of the two payments of the assessed civil penalty listed in paragraph five (5) of the enclosed agreement. We look forward to receiving the subsequent payment on or before April 30, 2001.

This agreement effectively resolves the issues raised in the complaint filed against the Friedheim for Senate Committee which is the subject of this case.

I appreciate your assistance in resolving this matter and helping to bring this case to a mutually satisfactory conclusion.

Sincerely,

A handwritten signature in black ink, appearing to read "Allan D. Silberman". The signature is stylized and includes a long horizontal line extending to the right.

Allan D. Silberman,
Director, ADR Office

Enclosure



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Case Number: ADR 003
Source: MUR 4927
Case Name: Friedheim for Senate

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by Eugene F. Douglas. Following a review of the record and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA"), and to resolve this matter, the Federal Election Commission ("the Commission") entered into negotiations with Jay Lawrence Friedheim, on behalf of the Friedheim for Senate Committee ("the Respondent") and the Committee's Treasurer, the latter position being vacant following the departure of the individual from the Committee. It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.


Negotiations between the Commission and the Respondent have addressed all the issues raised in this matter. The parties have agreed to resolve the matter according to the following terms:

1. The Commission has entered into this agreement as part of its responsibility for administering the Federal Election Campaign Act and in an effort to promote compliance of the FECA on the part of the Respondent. The Commission's use of ADR procedures is authorized in "The Administrative Dispute Resolution Act of 1996", P.L. 104-320, § 3(a) and is an extension of 2 U.S.C. § 437g.
2. The Respondent has voluntarily entered into this agreement with the Commission.
3. The Respondent failed to timely file their October, 1998 quarterly report, their year-end 1998 report and their mid-year 1999 report. The FECA requires that all candidate campaign committees shall file quarterly reports which shall be filed no later than the 15th day after the last day of each calendar quarter except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following year and in years when there is no regularly scheduled election for which the candidate is seeking election, a report covering the period beginning January 1 and ending June 30 shall be filed no later than July 31. 2 U.S.C. § 434(a)(2)
4. The Respondent acknowledges that by failing to file the required campaign committee reports in accordance with the requirements of the FECA, it violated provisions of the FECA

5. The Respondent agrees it will pay a penalty of one thousand dollars (\$1,000), payable in two equal payments of five hundred dollars (\$500) each beginning on January 30, 2001 and concluding on April 30, 2001
6. The Commission confirms that the Respondent has filed three reports amending the three reports referenced in paragraph three (3) above. Based on those filings, the Respondent has requested and the Commission confirms that it is prepared to terminate the Committee's activities in accordance with the provisions of 2 U.S.C. § 433(d).
7. The parties agree that if the Respondent fails to comply with the terms of this settlement, the Commission may undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
8. This agreement will become effective on the date signed by all the parties and approved by the Commission. The Respondent shall comply with the terms set forth in paragraph five (5) above within the time period specified in that section.
9. This Negotiated Settlement constitutes the entire agreement between the parties on MUR 4927 and effectively resolves this matter. No other statement, promise or agreement, either written or oral, made by either party, not included in herein, shall be enforceable.

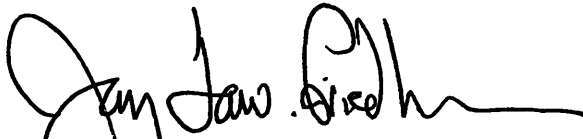
FOR THE COMMISSION:

Allan D. Silberman,
 Director Alternative Dispute Resolution Office


 Allan D. Silberman

January 31, 2001
 Date

FOR THE RESPONDENTS:


 (Name) Jay L. Friedheim
 (Position) Consultant + head of

1/12/01
 Date

Friedheim for Senate Committee:
 (the respondent)