



FEDERAL ELECTION COMMISSION  
999 E Street, N.W.  
Washington, DC 20463

August 14, 2001

Mr. Stephen D. Dobrosky, Treasurer  
Ed O'Brien for Congress  
P O. Box 447  
Bethlehem, PA 18018

Dear Mr. Dobrosky:

Enclosed is the signed copy of the agreement between the Federal Election Commission (FEC) and the Ed O'Brien for Congress Committee and yourself as Committee treasurer regarding MUR 5166 and subsequently numbered ADR 016A. This agreement, which was approved by the Federal Election Commission today -- the effective date of the agreement -- resolves the matter brought to the attention of the FEC by Stephen Brame on behalf of the Katie True for Auditor General Committee.

As you are aware, the settlement agreement along with documents exchanged between your office and the FEC, prior to the commencement of negotiations, will be made part of the record that is released to the public. The Commission is obliged by Federal statute to make public all settlement agreements. Accordingly, the file on this case, including the above mentioned document, will be forwarded next month to the FEC's Public Information Office.

This agreement effectively resolves the issues raised in the complaint filed against the 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 "AS", written over a circular stamp or mark.

Allan D. Silberman,  
Director, ADR Office

Enclosure



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

Case Number ADR 016A  
Source MUR 5116  
Case Name Casey for Auditor

### **NEGOTIATED SETTLEMENT**

This matter was initiated by a signed, sworn and notarized complaint filed by Stephen Brame, Campaign Manager, on behalf of the Katie True for Auditor General Committee. 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 Stephen D. Dobrosky, Treasurer, on behalf of the Ed O'Brien for Congress Committee ("the Respondents"). 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 Respondents 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 Respondents. The Commission's use of ADR procedures is authorized in "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. The Respondents have voluntarily entered into this agreement with the Commission.
3. The complaint alleges that the Respondents received a contribution of \$1,000 from the Robert Casey, Jr. for Auditor General Committee ("the Committee") on June 15, 2000. In making that contribution, the Complainant alleges that the Committee's contribution, when combined with two others made to the Citizens for Ron Klink, exceeded, in the aggregate, the total amount allowed in the regulations governing Federal election campaigns.
4. Respondents acknowledge receiving a voluntary contribution on June 15, 2000 of \$1,000 from the Robert Casey, Jr. for Auditor General Committee, a PA state campaign committee not registered with the Commission. The Respondents, on learning of the complaint and at the request of the Committee, refunded, on October 16, 2000, the aforementioned contribution.
5. Political and candidate committees may accept contributions from persons, including those from committees and associations, for any election for Federal office that in the aggregate do not exceed \$1,000. 2.U.S.C. § 441a(a) and (f)

1469

- 6 The Respondents acknowledge that they did not pursue the Committee to determine the source of the contributed funds. They further acknowledge that they were unaware of the need for treasurers to determine the "permissibility" of the source of funds contributed to campaigns and to refund contributions within thirty (30) days if unable to determine the legality of such contributions. Treasurers are responsible for examining all contributions received for evidence of illegality and for determining if the contributions, when aggregated with other contributions from the same source exceed the limits contained in the regulations. 11 C.F.R. § 103.3(b). Treasurers are required to return contributions that can not be determined to be legal within thirty days. 11 C.F.R. § 103.3(b)(1)
- 7 The Respondents, in order to obtain a better understanding of the requirements and responsibilities placed on federal election campaign committees, agree to attend, during the next twelve months, an FEC sponsored seminar for campaign committees.
- 8 The parties agree that if the Respondents fail 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.
- 9 This agreement will become effective on the date signed by all the parties and approved by the Commission. The Respondents shall comply with the terms set forth in paragraph seven (7) above regarding the provision of that section
- 10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 016A/MUR 5116 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

Aug. 14 01  
Date

FOR THE RESPONDENTS

  
(Name) Stephen Dobrosky  
(Position) Treasurer

6-28-01  
Date