



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

August 14, 2001

Mr Joe Brimmeier, Treasurer
Klink for US Senate
P.O.Box 15491
Pittsburgh, PA 15237

Dear Mr. Brimmeier:

Enclosed is the signed copy of the agreement between the Federal Election Commission (FEC) and the Citizens for Ron Klink Committee and yourself as Committee treasurer regarding MUR 5166 and subsequently numbered ADR 016B. 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 "Allan D. Silberman", with a long horizontal line extending to the right.

Allan D. Silberman,
Director, ADR Office

Enclosure

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number ADR 016B
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 Joe Brimmeier, Treasurer, on behalf of the Citizens for Ron Klink 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 two contributions of \$1,000 each from the Robert Casey, Jr. for Auditor General Committee ("the Committee"), one for the primary on March 23, 2000 and the other for the general election campaign on May 3, 2000. In making those contributions, the Complainant alleges that the Committee exceeded, in the aggregate, the total amount allowed in the regulations governing federal election campaigns.
4. The Respondents acknowledge receiving two voluntary contributions of \$1,000 each from the Robert Casey, Jr. for Auditor General Committee, a PA state campaign committee not registered with the Commission. The Respondents, upon learning of the complaint and at the request of the Committee, refunded on October 23, 2000 one of the aforementioned contributions.

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5. Political and candidate committees may accept contributions from persons, including those from committees or associations, for any election for Federal office that in the aggregate do not exceed \$1,000. 2 U.S.C. § 441a (a) and 441 (f)
- 6 Respondents acknowledge that they did not pursue the Committee to determine the source of the contributed funds. They concluded that the funds were from acceptable sources and that in accepting the contributions they were not violating provisions of the FECA. The Respondents allege that they were unaware of the responsibility of treasurers to determine the legality of contributions and to return within thirty (30) days those contributions they are unable to judge. 11 C.F.R. § 103.3(b) and § 103.3(b)(1).
- 7 Respondents agree to work with RAD to conclude all matters pertaining to its reporting responsibilities, to establish a debt retirement schedule and to subsequently file for the Committee's termination
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 have no more than thirty (30) days from the effective date of this agreement to comply with the terms set forth here
- 10 This Negotiated Settlement constitutes the entire agreement between the parties on ADR 016B 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

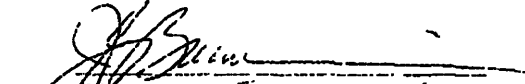
FOR THE COMMISSION

Allan D. Silberman,
Director, Alternative Dispute Resolution Office


Allan D. Silberman

8-14-01
Date

FOR THE RESPONDENTS


(Name) _____
(Position) _____

8-27-01
Date