



**Federal Election Commission
Washington, DC 20463**

August 28, 2001

Leslie J. Kerman, Esq.
818 Connecticut Avenue N.W.
Suite 1007
Washington, D.C. 20006

Re: ADR 021 (MUR 5010)

Dear Ms. Kerman:

Enclosed please find a signed copy of the agreement between Moran for Congress, James P. Moran and H. Robert Morrison, Treasurer and the Federal Election Commission (FEC/Commission) regarding ADR 021 (MUR 5010). The agreement was approved by the Commission on August 24, 2001.

I need to remind you that the settlement agreement, along with the exchange of correspondence, will be made part of the public record. The FEC is obligated by federal statute to put settlement agreements on the public record. 11 C.F.R. § 111.20(b). Accordingly, the appropriate portions of this file will be forwarded to the Commission's Public Information Office to be placed on the public record.

This agreement resolves the matter that was brought to the attention of the FEC by DeMaris Miller regarding an alleged violation of the federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually satisfactory conclusion.

Sincerely,

Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement

2001 SEP 11 10 51 AM



Federal Election Commission
Washington, DC 20463

Case Number: ADR 021
Source: MUR 5010
Case Name: Moran for Congress,
H. Robert Morrison, and James P. Moran

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by DeMaris Miller. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, ("FECA") and resolve this matter, the Federal Election Commission ("Commission") entered into negotiations with Leslie J. Kerman, Esq., representing Moran for Congress, H. Robert Morrison as Treasurer, and James P. Moran (collectively "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 Respondents addressed all the issues raised in this matter. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures ("ADR") 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. Respondents voluntarily enter into this agreement with the Commission.
3. Complainant alleged respondent Congressman Moran failed to reimburse his campaign committee, Moran for Congress, for personal use of a vehicle leased by the campaign committee. The FECA states that no contributions may be converted to personal use, other than to defray the ordinary and necessary expenses incurred in connection with the duties as a holder of Federal office. 2 U.S.C. § 439a. If a campaign committee uses campaign funds to pay the expenses associated with a vehicle used for both personal activities beyond a *de minimus* amount and campaign or officeholder related activities, the individual using the vehicle for personal use shall reimburse the campaign committee for expenses associated with the personal activities within thirty days of such use. 11 C.F.R. § 113.1(g)(1)(ii)(D).

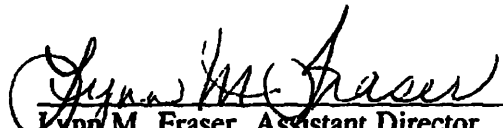
21-19-025-1108

4. Respondents acknowledge that Congressman Moran used the vehicle leased by his campaign committee for approximately fifteen percent (15%) personal use during calendar year 2000. Respondents maintained that Congressman Moran reimbursed the campaign committee and the reimbursements were reported on reports filed with the Commission beginning with the April 2000 Quarterly Report. Respondents request that the Commission dismiss this action.
5. Based on the information cited herein, the ADR Office concludes that the violations alleged in the complaint are unsubstantiated, and the Commission concurs by dismissing this matter.
6. This agreement shall become effective on the date signed by all parties and approved by the Commission.
7. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 021 (MUR 5010), and effectively resolves this matter. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

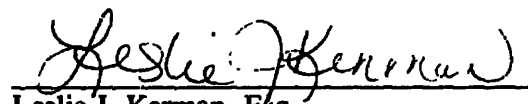
Allan D. Silberman, Director
Alternative Dispute Resolution Office

By:


Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office

8/28/01
Date Signed

FOR THE RESPONDENTS:


Leslie J. Kerman, Esq.
Counsel for Moran for Congress, H. Robert Morrison,
as Treasurer, and James P. Moran

8/10/01
Date Signed