



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 067
Source: Pre-MUR 404
Case Name: John D. Ong

NEGOTIATED SETTLEMENT

This matter was brought to the attention of the Federal Election Commission ("the Commission") by a *sua sponte* submission by John D. Ong ("the Respondent"). 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 Commission entered into negotiations with Carol A. Laham, Esq. on behalf of John D. Ong. 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 with 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", 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. The Respondent has voluntarily entered into this agreement with the Commission.
3. On November 28, 2001, the Respondent brought to the Commission's attention information that he inadvertently exceeded in 1997 and 1999 the \$25,000 aggregate annual limit on individual contributions to federal election campaigns. According to documents submitted by counsel, the Respondent contributed \$30,000 in 1997 and \$35,000 in 1999. On learning that his contributions exceeded the \$25,000 statutory aggregate annual contribution limit, the Respondent obtained a refund of \$16,500 from the primary recipient, the Republican National Committee, of which \$6,500 applied to the 1997 contributions and \$10,000 to the 1999.
4. Individuals are prohibited from contributing to federal election campaigns aggregating more than \$25,000 in any calendar year. 2 U.S.C. § 441a(a)(3). The Respondent affirms that the contributions at issue were made from his personal funds and that no other contributions were made by him that would count toward the \$25,000 annual aggregate limit for federal election campaigns.

5. The Respondent will pay a civil penalty to the Federal Election in the amount of fifteen thousand dollars (\$15,000) within thirty days of the effective date of this agreement.
6. This agreement will become effective on the date signed by all the parties and approved by the Commission.
7. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 067/Pre-MUR404 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:

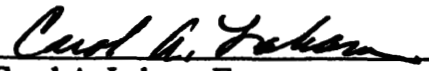
Allan D. Silberman,
Director Alternative Dispute Resolution Office



Allan D. Silberman

11/10/03
Date

FOR THE RESPONDENTS:



Carol A. Laham, Esq.
Counsel for John D. Ong.

12/31/02
Date

66154.125.1995