



**Federal Election Commission
Washington, DC 20463**

January 26, 2005

Darryl R. Wold, Esq.
4199 Campus Drive, Suite 550
Irvine, CA 92612

Re: ADR 188
Congressional Majority Committee and Robin Lake Foster, Treasurer

Dear Mr. Wold:

Enclosed is the signed copy of the agreement resolving the referral initiated on August 9, 2004 with the Federal Election Commission ("FEC/Commission") against the Congressional Majority and Robin Lake Foster, Treasurer ("Respondents"). The agreement for ADR 188 (RR 04L-05) was approved by the Commission on January 19, 2005 – the effective date of the agreement.

Note that paragraph 11 of the agreement specifies that Respondents shall comply with the terms of this settlement within thirty (30) days of the effective date of the agreement, with the exception of term (c) in paragraph 8. Please forward to this office, a statement confirming Respondents' compliance with the terms listed in paragraph 8 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 8.

As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities regarding violations of federal election campaign laws. I appreciate your

assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

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

Enclosure: Agreement



Federal Election Commission
Washington, DC 20463

Case Number. ADR 188
Source. RR 04L-05
Case Name: Congressional
Majority Committee

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission ("Commission" or "FEC") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. 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 Commission entered into negotiations with Darryl R. Wold, Esq. representing the Congressional Majority Committee and Robin Foster, Treasurer (the "committee" or "Respondents"). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

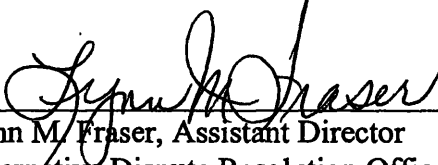
Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

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. Respondents filed an Amended 2003 July Quarterly Report to disclose additional disbursements totaling \$57,259.34 on February 18, 2004.
4. The FECA requires a committee to report, both for the reporting period and the calendar year, the total of all disbursements, including expenditures made to meet committee operating expenses or contributions made to other political committees. 2 U.S.C. §§ 434(b)(4)(A), 434(b)(4)(H)(i), 11 C.F.R. §§ 104.3(b)(1)(i)(A) and (B), 104.3(b)(1)(v), 104.3(b)(1)(ix)(A) and (B). A political committee that pays allocable expenses shall report each disbursement from its federal account for allocable expenses, or each payment from an allocation account for such federal election activity. 11 C.F.R. § 104.17 (b)(3)(i).

5. Respondents acknowledge that a violation of the FECA occurred. Respondents state that the assistant who prepared the original report for the treasurer inadvertently failed to include disbursements for a portion of the period covered by the report. The report was filed shortly after Respondent treasurer had begun a leave of absence from her job due to an illness, and the treasurer was not aware of the error when she signed the report.
6. Respondents state that following the treasurer's return and the filing of Respondent committee's year-end report, Respondents, on their own volition, conducted an internal review of all reports filed for the year. In that review, Respondents discovered that the July quarterly report had failed to include some of the disbursements made during the period covered by the report. Respondents promptly and voluntarily filed the amended July quarterly report, disclosing the omitted disbursements.
7. Respondents state that the treasurer now has a new assistant who maintains the committee's records and assists in the preparation of reports and compliance with the statute and regulations.
8. Respondents, in an effort to avoid similar errors in the future, agree to (a) develop a compliance/financial manual for use by committee staff; (b) pay a civil penalty of \$1,000; and (c) have the financial/compliance manager attend a FEC seminar within twelve months.
9. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
10. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
11. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of the settlement within thirty (30) days from the effective date of this agreement, with the exception of term (c) in paragraph 8 above, for which they have twelve (12) months to comply.
12. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 188 (RR 04L-05), 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.

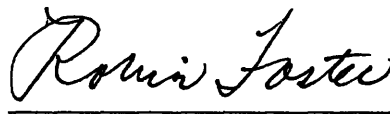
FOR THE COMMISSION:

Allan D. Silberman, Director
Alternative Dispute Resolution Office


By: 
Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office

1/26/05
Date Signed

FOR THE RESPONDENTS:

By: 
Robin Foster, Treasurer
Congressional Majority Committee

12/14/04
Date Signed


Darryl R. Wold, Esq.
Counsel for Congressional Majority Committee
and Robin Foster, Treasurer

12/14/04
Date Signed

2005-02-08 10:00 AM