




FEDERAL ELECTION COMMISSION  
Washington, DC 20463

April 14, 2005

**MEMORANDUM**

**TO:** The Commission

**THROUGH:** James A Pehrkon  
Staff Director

**FROM:** Allan D Silberman   
Director, ADR Office

**SUBJ:** Negotiated Settlement for **ADR 201**

Attached for your review is a signed negotiated ADR settlement agreement pertaining to **ADR 201** (MUR 5470), Jim Feldkamp for Congress and Ronald D. Calkins, Treasurer (the "Respondents"). This matter was opened on June 28, 2004 and assigned to the ADR Office on October 24, 2004.

**ADR 201/MUR 5470:** Complainant alleges that Respondents failed to report within the required period contributions of \$1,000 or more made less than 20 days prior to but more than 48 hours before the election. Respondents filed a 48-hour report on May 14, 2004 for the Primary election that was held on May 18, 2004. Eight contributions were accurately reported but nine others were not. The nine contributions, each of which was for more than \$1,000, totaled \$13,500. Respondents contend that the failure to timely report the subject contributions was due to the inadvertent posting of contributions to another campaign office, which held the checks until a batch could be forwarded to the main campaign office. Respondents also claim that the failure to report the subject contributions for the primary election within 48-hours of receipt was due to the lack of experience and misunderstanding of the law on the part of campaign officials. Respondents also advised that since the violation was brought to their attention, they have hired a professional treasurer to ensure that similar mistakes are not made in the future.

Jim Feldkamp was previously identified as a respondent in this matter. The lack of evidence relating to the candidate calls for a recommendation that the matter as it pertains to the candidate should be dismissed.

**ADR Director's Recommendation**

- 1) We recommend that the Commission approve the attached negotiated agreement relating to **ADR 201** and subsequently close the file on this matter.
- 2) We recommend that the Commission dismiss the complaint against Jim Feldkamp and close the file on this matter.

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