



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

February 17, 2006

Neil Reiff, Esq,
Sandler, Reiff & Young, P.C.
50 E Street, S.E. Suite 300
Washington, D.C. 20003

Re: ADR 290/RR 05L-47

Dear Mr. Reiff:

Enclosed is the signed copy of the agreement between the Federal Election Commission (FEC) and MOVEON.ORG Political Action and Wes Boyd, Treasurer, resolving ADR 290/RR 05L-47. This agreement, which was approved by the Federal Election Commission on February 13, 2006, the effective date of the agreement -- resolves the matter.

As you are aware, the settlement agreement will be made part of the record that is released to the public. In addition, as of January 1, 2004, the Commission also will place on the record copies of the referral from the Reports Analysis Division, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared by this office to assist the Commission 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 these matters will be forwarded shortly to the FEC's Public Information Office.

The enclosed agreement effectively resolves the issues raised in the referral, which was 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,


Allan D. Silberman,
Director, ADR Office

Enclosure: a/s

26190264155



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 290

Source: RR 05L-47

Case Name: MOVEON.ORG Political Action

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission ("the Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. 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" or "Act"), and to resolve this matter, the Commission entered into negotiations with Neil Reiff, Esq. on behalf of MOVEON.ORG Political Action and Wes Boyd, Treasurer (the "Respondents" or the "Committee"). 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 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 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 Reports Analysis Division ("RAD") determined that Respondents disclosed on an Amended 12 Day Pre-General Report Schedule B (Itemized Disbursements) earmarked contributions disbursed outside the authorized ten day period. The subject Pre-General Report disclosed that Respondents forwarded earmarked contribution totaling \$401,784.84 on October 13, 2004. The aforementioned Report disclosed 1,048 earmarked contributions, totaling \$38,904.95, were received on October 1 and October 2, 2004 and subsequently forwarded to Federal candidates more than ten days after initial receipt by Respondents.
4. Every person who receives a contribution for an authorized political committee shall, no later than 10 days after receiving such contribution, forward to the treasurer such contribution, and if the amount of the contribution is in excess of \$50 the name and address of the person making the contribution and the date of receipt. 2 U.S.C. § 432(b)(1) and 11 C.F.R. § 102.8(a). Provisions of the preceding regulation concerning receipt of contributions for political committees shall also apply to earmarked contributions transmitted by an intermediary or conduit. 11 C.F.R. § 102.8(c)

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5. Respondents acknowledged, in reply to a Request For Additional Information notice sent on January 19, 2004, that some earmarked contributions received in October were transferred outside the ten day window during which earmarked contributions are to be transferred to authorized committees.
6. Respondents acknowledged the need to set-up a back-up procedure to handle disbursement of earmarked contributions in the event Committee personnel are unavailable to do so in a timely manner. Respondents, as a result, have contracted for a professional accounting firm to provide such back-up support to ensure that transferred earmarked contributions are completed in accordance with the Commission's regulations. Respondents further agree to: 1) maintain the aforementioned new procedure that backs up the Committee's CFO in the event that he is unavailable; 2) have the Committee's CFO attend a FEC seminar for non-connected PACs; 3) pay a civil penalty of \$2,000.
7. 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.
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 and/or forward any outstanding civil penalty to the US Treasury for collection.
9. This agreement will become effective on the date signed by the parties and approved by the Commission. Respondents shall comply with the terms of this settlement within thirty (30) days from the effective date of this agreement, except for item two (2) in paragraph six (6) above within twelve (12) months of the effective date of the agreement.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 290/RR 05L-47 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.

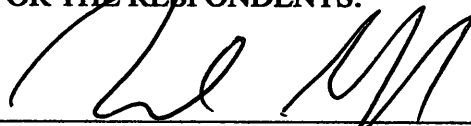
FOR THE COMMISSION:

Allan D. Silberman,
Director Alternative Dispute Resolution Office


Allan D. Silberman

2-14-06
Date

FOR THE RESPONDENTS:


Neil Reiff, Esq. on behalf of MOVEON.ORG
Political Action and Wes Boyd, Treasurer

1/31/06
Date