



Federal Election Commission  
Washington, DC 20463

December 8, 2006

Ryan R. Call, Esq.  
Doyle, Zakhem, Suhre, Lilly, LLC  
700 17<sup>th</sup> Street, NW Suite 2000  
Denver, CO 80202

Re: ADR #323  
Colorado Republican Federal Campaign Committee and Joseph H. Chavez,  
Treasurer

Dear Mr. Call:

Enclosed is the signed copy of the agreement resolving the referral initiated on April 12, 2006 with the Federal Election Commission ("FEC/Commission") against Colorado Republican Federal Campaign Committee and Joseph H. Chavez, Treasurer ("Respondents"). The agreement for ADR 323 (RAD 06L-16) was approved by the Commission on December 1, 2006 – the effective date of the agreement.

Note that paragraph 9 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. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6.

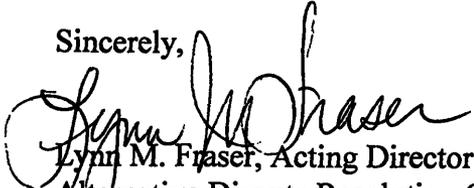
As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared 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

27190270508

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, Acting Director  
Alternative Dispute Resolution Office  
202-694-1665

Enclosure: Agreement

27190270509



**Federal Election Commission  
Washington, DC 20463**

Case Number ADR 323  
Source RR 06L-16  
Case Name Colorado Republican Federal  
Campaign Committee

### **NEGOTIATED SETTLEMENT**

This matter was initiated by the Federal Election Commission ("Commission") 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 Ryan Call, Esq., representing the Colorado Republican Federal Campaign Committee and Joseph H. Chavez, Treasurer, in his official capacity as 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. The Reports Analysis Division ("RAD") referred Respondents for failing to disclose all financial activity on their 2005 August Monthly Report. RAD determined that the Committee filed four amended 2005 August Monthly Reports between August 18, 2005 and February 9, 2006 that, in the aggregate, disclosed additional disbursements totaling \$64,705.91.
4. Committees must disclose the total amount of all disbursements during the reporting period and the calendar year, including expenditures to meet a committee's operating expenses, contribution refunds, other offsets to contributions, and any other disbursements. 2 U.S.C. § 434(b)(4), and 11 C.F.R. §§ 104.3(b) and 104.17. Committees' disclosures must include, in addition, to any other applicable reporting

27198270510

requirements, the itemized disclosure of receipts and disbursements of \$200 or more to, or from, any person for Federal election activities. 11 C.F.R. § 300.36(b)(2)(iv).

5. Respondents acknowledge an inadvertent violation of FECA as the original report contained data that was incorrect. Respondents contend that they discovered errors and omissions, which occurred, in part, from software or programming errors manifesting themselves during the upload of data, and, in part, from a transition in the Committee's Executive Directors. Respondents assert that while they believe the software errors have been corrected, they have taken the proactive step of having each report manually reviewed before filing with the Commission.
6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) develop a compliance manual for Committee staff use; (b) appoint a compliance officer; (c) pay a civil penalty of \$1,800; and (d) send a representative to a FEC seminar within twelve (12) months.
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 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.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms within thirty (30) days from the effective date of this agreement.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 323 (RR 06L-16), and effectively resolves the issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

27190270511

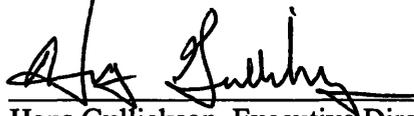
FOR THE COMMISSION:

  
\_\_\_\_\_  
Lynn M. Fraser, Acting Director  
Alternative Dispute Resolution Office

12/01/06  
Date Signed

FOR THE RESPONENTS:

For Colorado Republican Federal Campaign Committee  
and Joseph H. Chavez, Treasurer:

  
\_\_\_\_\_  
Hans Gullickson, Executive Director

11/20/06  
Date Signed

  
\_\_\_\_\_  
Ryan R. Call, Esq.  
Deputy Legal Counsel, Colorado Republican Party

11/20/2006  
Date Signed

27180270512