



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

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COMMISSION
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SENSITIVE
2007 APR 13 P 5:05

MEMORANDUM

April 13, 2007

TO: The Commission

THROUGH: Patrina M. Clark *PMC*
Staff Director

FROM: Margarita Maisonet *MM*
Chief Compliance Officer

Deborah Kant *DK*
Director, ADR Office

BY: Lynn M. Fraser *LMF*
Assistant Director, ADR Office

SUBJECT: ADR 352 EMILY's List and Ranny Cooper, Treasurer,
Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Remedial measures such as additional staff training, additional scrutiny of monthly reports to verify timely forwarding of each contribution, and sending a representative to a FEC seminar (amount in dispute \$35,698.44).

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 352 (RAD 06L-25). This case was opened on September 28, 2006, and was assigned to the ADR Office on December 12, 2006.

SUMMARY: RAD referred EMILY's List and Ranny Cooper, Treasurer ("Respondents") after a review of 2005 monthly reports disclosed that Respondents disbursed \$35,698.44 in deposited earmarked contributions, received for authorized committees, more than ten (10) days after receipt. Respondents disclosed these earmarked contributions during the 2005 May Monthly, 2005 June Monthly, and 2005 October Monthly reporting periods.

Respondents acknowledge that 363 contributions, a very small percentage of the 77,000 transactions handled during the 2005-2006 election cycle, were forwarded to the benefiting candidates outside the ten days required by the statute.

Respondents contend that these contributions, received on eight dates in 2005, and mostly in the month of April, were delayed due, in part, to a change in staff responsible for issuing and delivering earmarked contributions to candidates, as well as a change in procedures.

The ADRO determined that a purely remedial response was the most appropriate resolution for this referral. This decision was based on a variety of factors such as the strong reporting history of the Committee, and the specific facts of this referral; i.e., that the aggregate amount of contributions at issue represent one-half of one percent of the Committee's overall 2006 election cycle bundling activity, and the majority of the contributions that were forwarded outside the ten day requirement, were forwarded eleven to fourteen days after receipt. In addition to these mitigating factors, the Committee will undertake extensive training and supervisory changes to further enhance compliance.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of EMILY's List and Ranny Cooper, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.