



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

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SENSITIVE

MEMORANDUM

November 14, 2007

TO: The Commission

THROUGH: Patrina M. Clark *PMC*
Staff Director

FROM: John D. Gibson *JDG*
Chief Compliance Officer

Deborah Ruth Kant *DRK*
Director, ADR Office

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

SUBJECT: ADR 409 Blue America PAC and Howard Klein, Treasurer
Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Develop and maintain a compliance manual; participate in telephonic training with Commission staff; and pay a civil penalty of \$900 (amount in dispute \$25,005.84)

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 409 (RAD 07L-25). This case was received on July 20, 2007, and was assigned to the ADR Office on August 13, 2007.

SUMMARY: The Reports Analysis Division (RAD) referred the Blue America PAC and Howard Klein, Treasurer ("Respondents" or the "Committee") for failing to file six (6) 24 Hour Notices totaling \$25,005.84 to support six (6) independent expenditures disclosed on the Committee's 2006 30 Day Post-General Report. A Prior Notice had been sent to the Committee on October 2, 2006 referencing report filing dates, as well as a section titled *48- and 24-Hour Reports on Expenditures*. In response to an inquiry from the Commission, Respondents contend that while they attempted to comply with the FECA, they were unaware of the necessity of filing 24-Hour Notices for independent expenditures such as these.

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RECOMMENDATIONS:

1. Approve the attached settlement agreement of Blue America PAC and Howard Klein, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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