



Federal Election Commission
Washington, DC 20463

November 21, 2008

William C. Oldaker, Esq.
818 Connecticut Avenue, NW, Ste. 1100
Washington, DC 20006

Re: ADR 417 (RAD 07L-34)
National Air Traffic Controllers Association Political Action Committee and
Pat Forrey, Treasurer

Dear Mr. Oldaker:

Enclosed is the signed copy of the agreement resolving the referral initiated September 17, 2007 with the Federal Election Commission ("FEC/Commission") against National Air Traffic Controllers Association Political Action Committee and Pat Forrey, Treasurer ("Respondents"). The agreement for ADR 417 (RAD 07L-34) was approved by the Commission on November 5, 2008 – the effective date of the agreement.

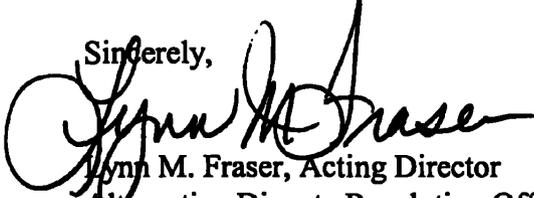
Note the specific time frames for compliance in paragraph 9 of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6 and contain the ADR caption and case number. **The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on December 5, 2008. Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.**

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.

28190274300

This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory 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

cc: Angela Dillard, Finance and Accounting Office
Ken Pezzella, Finance and Accounting Office
Room 819

28190274301



**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 417
Source: RAD 07L-34
Case Name: National Air Traffic
Controllers Association PAC

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election 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 William C. Oldaker Esq., representing National Air Traffic Controllers Association PAC and Patrick Forrey, in his official capacity as Treasurer (collectively "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 addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

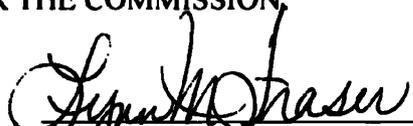
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures ("ADR") is guided by "The Administrative Dispute Resolution Act 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. Respondents ("the Committee") failed to disclose \$81,374.02 in additional receipts on its 2006 12 Day Pre-General Report. The Committee filed the original report on October 26, 2006 and filed the amended report disclosing the additional receipts on March 20, 2007. In the amended report, the Committee explained that it had not included the bank interest due to an administrative error. On May 11, 2007, in a memo text, the Committee elaborated that it had experienced computer problems and had difficulty uploading data into the e-filing system. The Committee also stated that this data transfer did not include payroll deduction contributions.
4. Treasurers of political committees are required to report all financial activity, including all receipts. 2 U.S.C. §§ 434(a) 434(b)(2), 11 C.F.R. § 104.3(a).
5. Respondents further state that they have taken the following corrective actions: they fired the staff member responsible for the error; transferred her supervisor; hired an

outside consultant to review its FEC reports on a monthly basis; hired a certified public accountant who conducted an audit for calendar year 2006; and hired the CPA to conduct future annual audits. In addition, staff members responsible for FEC filings have attended FEC seminars since the submission of the amended report.

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) certify to the Commission that the results of the 2006 audit meets professional accounting standards and verifies that the audit results are consistent with the FEC reports; (b) certify the same for calendar year 2007 on or before February 1, 2008; (c) draft and issue an internal controls policy, as suggested in the Commission Policy dated April 5, 2007; and (d) pay a \$2000 civil penalty.
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 terms (a), (c), and (d) set forth in paragraph 6 within thirty (30) days from the effective date of this agreement and term (b) on or before on or before February 1, 2008.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 417 (RAD 07L-34), and effectively resolves only those 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.

FOR THE COMMISSION:

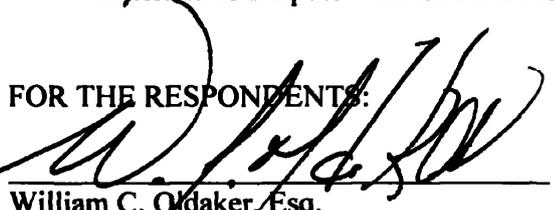
By:


Deborah Ruth Kant, Director
Alternative Dispute Resolution Office

11-5-08

Date Signed

FOR THE RESPONDENTS:


William C. Odaker, Esq.
National Air Traffic Controllers
Association PAC and Patrick Forrey, Treasurer

12/13/07
Date Signed

28190274303