



Federal Election Commission  
Washington, DC 20463

July 22, 2009

Randy S. Blair  
6017 McPherson Road, Ste. B  
Laredo, TX 78041

Re: ADR 470 (RR 08L-18)  
Canseco for Congress and Randy S. Blair, Treasurer

Dear Mr. Blair:

Enclosed is the signed copy of the agreement resolving referral initiated on September 18, 2008 by the Federal Election Commission ("FEC/Commission") Canseco for Congress and Randy S. Blair, Treasurer ("Respondents"). The agreement for ADR 470 (RAD 08L-18) was approved by the Commission on July 14, 2009 – the effective date of the agreement.

Note the specific time frames for compliance in paragraph 6 of the agreement. **Please forward to this office, a statement confirming Respondent's compliance with the terms listed in 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 or before August 14, 2009. 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 complaint/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

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,

*Janice Peña*  
for Lynn M. Fraser, Acting Director  
Alternative Dispute Resolution Office  
202-694-1665

Enclosure: Agreement

cc: Ken Pezzella, Finance and Accounting Office  
Room 819



**Federal Election Commission  
Washington, DC 20463**

Case Number: ADR 470  
Source: RR 08L-18  
Case Name: Canseco For Congress

### **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 Randy S. Blair, representing Canseco for Congress and Randy S. Blair, 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 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. The Reports Analysis Division referred Respondents for failing to disclose all financial activity on the Committee's 2008 April Quarterly Report. Respondents failed to disclose a \$200,000 loan from the candidate on its original 2008 April Quarter Report. On May 7, 2008, the Committee filed an amended 2008 April Quarterly Report disclosing the \$200,000 loan from the candidate on Schedule C.
4. Treasurers of political committees are required to report all financial activity, including all receipts in the form of loans, pursuant to the FECA. 2 U.S.C. §§ 434(a)(1), 434(b)(2), 11 C.F.R. §§ 104.1, 104.3(a)(3), 104.3(a)(4)(iv).
5. Respondents acknowledge an omission in disclosing the loan from the candidate. Respondents contend that the loan was disclosed on another form, and they did not realize that the information would not be included in the final report.

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- 6. Respondents, in an effort to resolve this matter, agree to: (a) appoint an experienced campaign finance specialist to assist with FECA compliance within thirty (30) days of the effective date of this agreement; and (b) pay a civil penalty of \$4,000 within thirty (30) days of the effective date of this agreement.
- 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 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 of this agreement as set out in paragraph 6 above.
- 10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 470 (RR 08L-18) and resolves 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:

Lynn M. Fraser, Acting Director  
Alternative Dispute Resolution Office



7-14-09  
Date Signed

FOR THE RESPONDENTS:

  
Randy S. Blair  
Representing Canseco For Congress and  
Randy S. Blair, Treasurer

6/22/09  
Date Signed