



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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SENSITIVE

MEMORANDUM

July 1, 2010

TO: The Commission

THROUGH: Alec Palmer *for PL*
Acting Staff Director

FROM: Patricia Carmona *PL*
Chief Compliance Officer

Lynn M. Fraser *LMF*
Director, ADR Office

SUBJECT: ADR 537 (MUR 6248) & ADR 539 (PMUR 495) Citizens For An Open And Honest Government Supporting Dan Mielke for Congress and Robin Mielke, Treasurer, Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Develop a comprehensive campaign operations compliance manual and disseminate same to all volunteers and campaign workers.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 537 (MUR 6248) & ADR 539 (PMUR 495). The ADR Office received the complaint and *sua sponte* submission for processing on March 8, 2010.

SUMMARY: Complainant alleged that Citizens For An Open And Honest Government Supporting Dan Mielke For Congress and Robin K. Mielke, Treasurer (Respondents or the Committee) used the names and addresses of contributors disclosed on the 2009 October Quarterly Report filed by Duffy for Congress to solicit contributions in violation of the FECA. Respondents, in both their response to the Complaint and their *sua sponte* submission, contend they are unaware of the source of the names and addresses used for the mailing. Respondents acknowledge they sent approximately thirty or forty letters to people they understood had contributed to the Duffy for Congress campaign. Respondents received no contributions as a result of the solicitation. At the time of the mailing,

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Respondents were unaware of the FECA's prohibition on using information contained in reports filed with the FEC to solicit contributions.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of Citizens For An Open and Honest Government Supporting Dan Mielke for Congress and Robin Mielke, Treasurer.
2. Approve the appropriate letters.
3. Close the files on this matter.