



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

OFFICE OF THE CHAIRMAN

BEFORE THE FEDERAL ELECTION COMMISSION

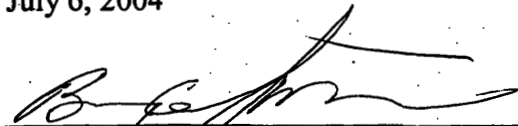
In the Matter of)
)
Mary Robert) MUR 5321
Janet Robert)
Minnesotans for Janet Robert, and)
Rob LaFrentz, as Treasurer¹)

STATEMENT OF REASONS OF CHAIRMAN BRADLEY A. SMITH

I have joined Commissioner Toner in a Statement of Reasons that adequately explains my decision not to accept the recommendations of the General Counsel in this matter. *See* Statement of Reasons of Chairman Bradley A. Smith and Commissioner Michael E. Toner, MUR 5321.

Additionally, I wish to emphasize that I agree with the factual comparison of this case and MUR 5138 laid out by Commissioner Mason, and in particular I agree completely and wholeheartedly that there are no material differences of fact between this case and MUR 5138. *See* Statement of Reasons of Commissioner David M. Mason, MUR 5321. I dissented in MUR 5138, in which the Commission fined respondents in excess of \$200,000. If the difference in result between the two cases is indicative of a new approach by the Commission to this type of alleged violation, then I am heartened by the result in this matter. If, on the other hand, today's result is merely a one-time-only, "Get Out of Jail Free" card for respondents Janet Robert, Minnesotans for Janet Robert for Congress, and Mary Robert, then I believe the decision is nothing short of arbitrary and capricious, and a gross injustice to the respondents in MUR 5138 and future cases.

July 6, 2004


Bradley A. Smith, Chairman

¹ Since the Commission's reason to believe findings, Janet Robert has submitted an amended Statement of Organization indicating that the committee has been renamed Minnesotans for Janet Robert and that the new treasurer is Rob LaFrentz.