



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

OCT 14 2003

Judith L. Corley, Esq.  
Perkins Coie LLP  
607 14<sup>th</sup> St., NW, Suite 800  
Washington, DC 20005

RE: MUR 5328  
PAC to the Future and  
Leo McCarthy, as treasurer  
Team Majority and  
Leo McCarthy, as treasurer

Dear Ms. Corley:

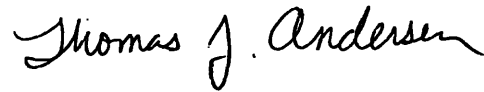
On October 8, 2003, the Federal Election Commission accepted the signed conciliation agreement submitted on your clients' behalf in settlement of violations of 2 U.S.C. §§ 433(b)(2), 441a(a)(2)(A) and 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to PAC to the Future and Leo McCarthy, as treasurer, and Team Majority and Leo McCarthy, as treasurer.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that, within 30 days of the effective date of the conciliation agreement, your clients must submit a check for the civil penalty and notify the following committees of your clients' waiver of any right to a refund of the excessive contributions: Chris Kouri for Congress Committee; Committee to Elect Charles Walker; Joe Turnham for Congress; Julie Thomas for Congress Campaign Committee; and Van Hollen for Congress.

If you have any questions, please contact me or Joshua Heller at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Thomas J. Andersen".

Thomas J. Andersen  
Attorney

Enclosure  
Conciliation Agreement

24.04.07.1342

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1           2. Leo McCarthy is PAC to the Future's treasurer.

2           3. Team Majority is a multicandidate committee that initially registered  
3 with the Commission under the name "Team Pelosi" on April 1, 2002. The committee  
4 amended its name to "Team Majority" on July 24, 2002. *See* 2 U.S.C. § 432(e)(4).

5           4. Leo McCarthy is Team Majority's treasurer.

6           5. The Statements of Organization filed by PAC to the Future and Team  
7 Majority do not list any affiliated committees.

8           6. The Federal Election Campaign Act of 1971, as amended, states that  
9 for the purposes of the limitations set forth in 2 U.S.C. § 441a(a), all contributions made  
10 by political committees "established or financed or maintained or controlled by any . . .  
11 person, or by any group of . . . persons, shall be considered to have been made by a single  
12 political committee." 2 U.S.C. § 441a(a)(5). Such persons include an existing committee  
13 or its agents. *See* 2 U.S.C. § 431(11). Committees established, financed, maintained or  
14 controlled by the same person or group of persons are "affiliated" committees. 11 C.F.R.  
15 § 100.5(g)(2). Contributions made to or by such committees shall be considered to have  
16 been made to or by a single committee. *Id.*

17           7. A multicandidate PAC is limited to receiving \$5,000 per calendar year  
18 from individual contributors. 2 U.S.C. §§ 441a(a)(1)(C), 441a(f). An authorized  
19 candidate committee may only accept \$5,000 from a multicandidate PAC during each  
20 election. 2 U.S.C. §§ 441a(a)(2)(A), 441a(f). If a committee accepts contributions that  
21 exceed these limits, it must either refund the excessive contributions or seek  
22 redesignation or reattribution within sixty days. *See* 11 C.F.R. § 103.3(b)(3).

8. When registering with the Commission, a political committee must include in its Statement of Organization "the name, address, relationship, and type of any connected organization or affiliated committee." 2 U.S.C. § 433(b)(2); 11 C.F.R. § 102.2(b).

9. For the 2002 General Election, both PACs made contributions to several committees, which, when aggregated, exceeded \$5,000 to each committee. Of those committees, five campaign committees received \$5,000 contributions from both PACs, and did not refund the \$5,000 excessive portion of the contributions within sixty days. *See* 11 C.F.R. § 103.3(b)(3). Those committees are: (1) Joe Turnham for Congress, (2) Julie Thomas for Congress Campaign Committee, (3) Van Hollen for Congress.

The excessive contributions made to these committees totaled \$25,000.

10. Additionally, several individual contributors made contributions to PAC to the Future and Team Majority, which, when aggregated, exceeded the \$5,000 contribution limit. PAC to the Future and Team Majority did not refund the excessive portion of the contributions of two contributors, George and Lorri Zimmer, within 60 days. *See* 11 C.F.R. § 103.3(b)(3). The excessive contributions from George and Lorri Zimmer totaled \$10,000.

V. 1. Respondents made excessive contributions totaling \$25,000, in violation of 2 U.S.C. § 441a(a)(2)(A). Respondents will cease and desist from violating 2 U.S.C. § 441a(a)(2)(A).

1           2. Respondents accepted excessive contributions totaling \$10,000, in  
2   violation of 2 U.S.C. § 441a(f). Respondents will cease and desist from violating  
3   2 U.S.C. § 441a(f).

4           3. Respondents failed to disclose their affiliated status, in violation of  
5   2 U.S.C. § 433(b)(2). Respondents will amend their Statements of Organization to  
6   disclose their affiliation and cease and desist from violating 2 U.S.C. § 433(b)(2).

7           VI. 1. Respondents agree to pay a civil penalty to the Federal Election  
8   Commission in the amount of Twenty-One Thousand dollars (\$21,000), pursuant to  
9   2 U.S.C. § 437g(a)(5)(A).

10          2. Respondents waive their right to any refund of excessive contributions  
11   referenced in this agreement and will so notify the appropriate authorized committees.

12          VII. The Commission, on request of anyone filing a complaint under 2 U.S.C.  
13   § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review  
14   compliance with this agreement. If the Commission believes that this agreement or any  
15   requirement thereof has been violated, it may institute a civil action for relief in the  
16   United States District Court for the District of Columbia.

17          VIII. This agreement shall become effective as of the date that all parties hereto  
18   have executed it and the Commission has approved the entire agreement.

19          IX. Respondents shall have no more than thirty (30) days from the date this  
20   agreement becomes effective to comply with and implement the requirements contained  
21   in this agreement and to so notify the Commission.

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1 X. This Conciliation Agreement constitutes the entire agreement between the  
2 parties on the matters raised herein, and no other statement, promise, or agreement, either  
3 written or oral, made by either party or by agents of either party, that is not contained in  
4 this written agreement shall be enforceable.

5 FOR THE COMMISSION:

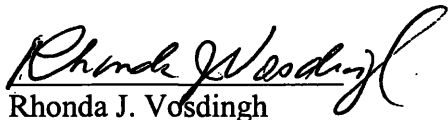
6 Lawrence H. Norton

7 General Counsel

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10 BY:



11 Rhonda J. Vosdinger

12 Associate General Counsel

13 for Enforcement

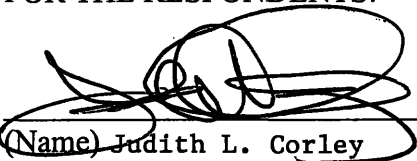
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15 FOR THE RESPONDENTS:

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19  (Name) Judith L. Corley

20 (Position) Counsel for Respondents

10/10/03  
Date

9/29/03  
Date