



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: James A. Pehrkon  
Staff Director

FROM: Allan Silberman  
Director, ADR Office

BY: Lynn M. Fraser *LS/LMF*  
Assistant Director, ADR Office

SUBJECT: Recommendation to Close the File on ADR 124

DATE: April 11, 2003

In accordance with the revisions to the ADR program procedures approved by the Commission on March 3, 2003, ADR 124/MUR 5339 is attached for the Commission's review. The case was forwarded to the ADR Office (ADRO) by OGC on March 28, 2003 to review and determine its appropriateness for ADR processing. After a review of the file and the issues raised, the ADRO recommends that the case be closed and no further resources be expended on this matter. Following the new ADR procedures referenced above, this matter will be closed by ADRO if the Commission approves the recommendation in this memorandum. The Office of General Counsel (OGC) concurs in the description of this matter, and also concurs that it will not be returned to OGC for further action.

**ADR 124/MUR 5339:** Complainant alleges that Respondent contracted with Vaughen for Congress to provide internet collection of campaign contributions for the committee. Complainant further alleges that for the period of July 7 through July 17, 2002, Respondent collected \$975 in contributions but did not submit those funds to the committee in a timely manner. This resulted in a violation of 2 U.S.C. 432 (b) (1). Respondent contends that it thought the funds were deposited in Complainant's account as required, but after further research Respondent determined that the funds were not deposited in the "proper account." Respondent stated that upon learning of the error a certified check was sent to Complainant in November 2002.

Attached for the Commission's review is the *ADR Case Analysis Report (CAR)* on ADR 124, along with copies of the EPS Rating and ADR Rating reports.

**Recommendation:** We recommend that ADR 124/MUR 5339 be closed and the appropriate letters sent.