



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

SECRETARIAT

2005 OCT -5 P 4: 26

MEMORANDUM

October 5, 2005

SENSITIVE

TO: The Commission

THROUGH: James A. Pehrkon *AKh JP*
Staff Director

FROM: Allan D. Silberman *AS*
Director, ADR Office

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

SUBJECT: ADR 271 Taff for Congress and Kimberly S. Stewart, Treasurer
Recommendation to approve Settlement Agreement

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 271 (MUR 5649). This case was opened on June 17, 2005 and was assigned to the ADR Office on July 14, 2005.

SUMMARY: Charlyne Rothman filed a complaint alleging that Taff for Congress and Kimberly S. Stewart, Treasurer ("Respondents") violated the FECA by paying for a computer generated telephone bank during the last days before the Republican Primary Election that did not disclose to the recipients of the message who paid for the call. Respondents acknowledged an inadvertent violation of the FECA due to their inability to determine what kinds of messages required a disclaimer.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of Taff for Congress and Kimberly S. Stewart, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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