



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

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SENSITIVE

MEMORANDUM

June 29, 2006

TO: The Commission

THROUGH: Robert J. Costa *AR*
Acting Staff Director

FROM: Lynn M. Fraser *LMF*
ADR Office

SUBJECT: ADR 307 Benson K. Whitney,
Recommendation to Approve Settlement Agreement

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 307 (PMUR 430). This case was opened on December 13, 2005, and was assigned to the ADR Office on January 6, 2006.

SUMMARY: The Contributor, Benson K. Whitney, advised the Commission in October 2004 that during 2000, he inadvertently made contributions to federal campaigns and political committees that exceeded the annual aggregate limit for individuals under the FECA in effect at that time. In the original submission, the Contributor stated that he exceeded the \$25,000 aggregate limit set in 2 U.S.C. § 441a(a)(3) (2000) by \$5,500. The Contributor later concurred that he made an error in the aggregate, and the accurate aggregate limit was exceeded by \$5,000, rather than the \$5,500 originally submitted. The Contributor requested and obtained refunds of \$5,500, which brought his contributions into compliance with the FECA. The Contributor also acknowledged that the statute of limitations expired prior to seeking resolution of this matter through ADR, however, he wished to demonstrate compliance with the FECA.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of Benson K. Whitney.
2. Approve the appropriate letters.
3. Close the file on this matter.

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