



**Federal Election Commission
Washington, DC 20463**

March 13, 2009

Lyn Utrecht
Ryan, Philips, Utrecht & McKinnon
1133 Connecticut Ave., NW
Washington, DC 20036

Re: ADR 468 (RAD 08L-31)
Donna Edwards for Congress and Janice Edwards, Treasurer

Dear Ms. Utrecht:

Enclosed is the signed copy of the agreement resolving the referral initiated on September 9, 2008 with the Federal Election Commission ("FEC/Commission") against Donna Edwards for Congress and Janice Edwards, Treasurer ("Respondents"). The agreement for ADR 468 (RAD 08L-31) was approved by the Commission on February 25, 2009 – the effective date of the agreement.

Note the specific time frames for compliance in paragraph 6 of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6 and contain the ADR caption and case number. **The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on April 12, 2009 Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.**

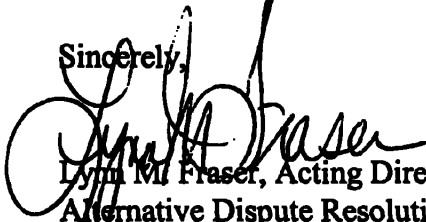
As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

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This agreement resolves the referral that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities regarding violations of federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,



Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement

cc: Ken Pezzella, Finance and Accounting Office
Room 819



**Federal Election Commission
Washington, DC 20463**

**Case Number: ADR 468
Source: RAD 08L-31
Case Name: Donna Edwards for Congress**

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Commission entered into negotiations with Lyn Utrecht, Esq. and Karen Zeglis, Esq., representing Donna Edwards for Congress and Janice Edwards, in her official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

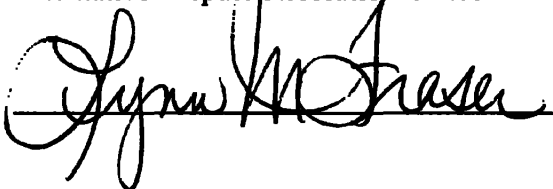
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division referred Respondents for failing to disclose all financial activity on their 2008 April Quarterly Report. Respondents filed an amended 2008 April Quarterly Report on May 15, 2008 that disclosed increased disbursements totaling \$231,670.99.
4. Treasurers of political committees are required to report all financial activity, including all disbursements, pursuant to the FECA. 2 U.S.C. §§ 434(a)(1), 434(b)(4), 11 C.F.R. §§ 104.1, 104.3(b).
5. Respondents acknowledge an unavoidable omission in the reporting of disbursements on their 2008 April Quarterly. Respondents contend that when they prepared the report for filing, the spreadsheet with financial data became inaccessible and unrecoverable. The Committee recreated the majority of the missing data and filed the report on April 15, 2008. The Committee then proceeded to redevelop the database, filing the amended 2008 April Quarterly on May 15, 2008.

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6. Respondents contend they took immediate steps to ensure that this situation does not reoccur by revising financial activity procedures, such as instituting a policy of storing all financial data in a second location and maintaining all software security and virus protections, to ensure there will be no last minute challenges to reporting timely and accurately. Respondents, in an effort to avoid similar errors in the future, agree to: (a) upload financial data into the reporting software on a continuous basis during the reporting period; (b) send a representative to a FEC reporting seminar within six months of the effective date of this agreement; (c) appoint an Assistant to the Treasurer within 30 days of the effective date of this agreement; and (d) pay a civil penalty of \$1,500 within 30 days of the effective date of this agreement.
 7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
 8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
 9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above.
 10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 468 (RAD 08L-31), and resolves only those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.


FOR THE COMMISSION:

Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office



2/25/09
Date Signed

FOR THE RESPONDENTS:


Lyn Utrecht, Esq.
Representing Donna Edwards for Congress and
Janice Edwards, Treasurer

1/29/09
Date Signed