



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

November 20, 2009

Patrick K. Greene  
Stockli Greene Slevin and Peters, LLP  
90 State Street  
Albany, NY 12207

Re: ADR 523 (P-MUR 492)  
SEFCU and SEFCU Insurance Agency

Dear Mr. Greene:

The Federal Election Commission (FEC or Commission) referred a compliance issue to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing. The referral by the Office of General Counsel was based on your *sua sponte* complaint which alleges a violation of the Federal Election Campaign Act of 1971, as amended.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with SEFCU and SEFCU Insurance Agency (Respondents). The ADR Program provides Respondents with an opportunity to negotiate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the ADR Program, you must: 1) indicate in writing a willingness to have your case submitted for ADR processing; 2) agree to participate in the bilateral interest based negotiations; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADRO, and the focus of our subsequent negotiations are summarized as follows:

The *sua sponte* submission by SEFCU, a federally chartered credit union, and its wholly owned subsidiary, SEFCU Asset Management Services LLC d/b/a/ SEFCU Insurance Agency (collectively Respondents) served to notify the Federal Election Commission (FEC or Commission) of inadvertent potential violations of the Federal Election Campaign Act of 1971, as amended (FECA) by Respondents. The submission admits to making two contributions totaling \$4,250 to a political committee organized to re-elect

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE  
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EMAIL: lfraser@fec.gov

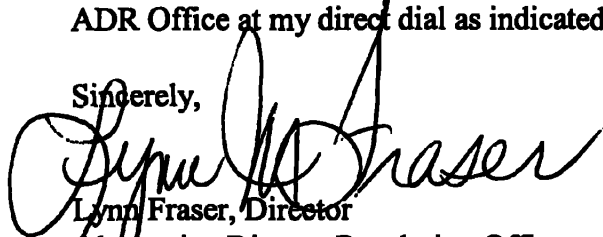
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the mayor of Albany, New York and to the New York Republican State Committee in violation of 2 U.S.C. § 441b(a) and 11 C.F.R. §114.2(a). SEFCU stated that it first learned that the subsidiary was prohibited from making contributions for any election while conducting a due diligence review for an acquisition. Upon learning of the prohibition under the FECA, Respondents filed the *sua sponte* submission with the Commission and notified the two recipients that the contributions violated the FECA and possibly state election law. Respondents also requested a refund of the contributions.

If after reviewing this letter and the enclosed brochure, which describes the ADR program, Respondent(s) would like this case selected for ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. Failure to respond affirmatively within fifteen (15) business days of receipt of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR. In that event, your case will be sent to the FEC's Office of General Counsel for further processing.

This matter has been designated as **ADR 523**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADR Office at my direct dial as indicated below

Sincerely,



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

Enclosures: Brochure  
Commitment to Submit Matter to ADR  
Designation of Representative/Counsel