



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

SECRETARIAT
COMMISSION

2006 MAR 10 P 12:21

SENSITIVE

MEMORANDUM

March 8, 2006

TO: The Commission

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

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

BY: Lynn M. Frase *LF*
Assistant Director, ADR Office

SUBJECT: ADR 310 Minnesota Democratic Farmer Labor Party and
Kerry Gautier, Treasurer,
Recommendation to Assign Case

On February 3, 2006, the ADR Office received RR 06L-05 to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case is appropriate for ADR and recommend that it be assigned to the ADR Office.

SUMMARY: RAD referred the Minnesota Democratic Farmer Labor Party and Kerry Gautier, Treasurer, ("Respondents" or the "Committee) for failing to disclose all financial activity. Specifically, the Committee filed an amended 2005 March Monthly Report to disclose additional receipts totaling \$59,277.41 on May 16, 2005. Respondents filed the original 2005 March Monthly Report that disclosed no receipts on Line 18(a) (Transfers from Non-Federal Account for Allocated Activity) on March 18, 2005, for the period February 1, 2005, through February 28, 2005. On April 18, 2005, the Committee filed an amended 2005 March Monthly Report that disclosed no change in the amount of receipts obtained by the Committee. On May 16, 2005, a second amended 2005 March Monthly Report was filed that disclosed the additional receipts on Line 18(a) of \$59,277.41. Respondents filed a miscellaneous electronic text message on September 27, 2005, in response to a RFAI sent to the Committee on August 31, 2005. Respondents' electronic message stated the transfers disclosed on Line

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18(a) of the amended report were discovered during the reconciliation of the Committee's bank account. Respondents' message also indicated that the reconciliation had not been completed at the time the original 2005 March Monthly Report was filed.

Attached for the Commission's review is the ADR Case Analysis Report, along with the ADR Rating report. The ADR Case Analysis Report includes an analysis of the case and a description of the issues that the ADR Office anticipates addressing if the case is assigned to ADR. In addition, the ADR Case Analysis Report has been reviewed by the Office of General Counsel, which concurs in the description of the case.

If the Commission concurs in the recommendation, the above case description will be provided to Respondents as part of ADR Office's notification package sent to Respondents.

RECOMMENDATION:

1. **Assign ADR 310/RR 06L-05 to the ADR Office.**

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ADR CASE ANALYSIS REPORT

ADR Case: 310

Respondents:

Minnesota Democratic Farmer Labor Party
Kerry Gautier, Treasurer

RAD Referral: RR 06L-05

Respondents' Rep.: Kerry Gautier

Date Forwarded to ADRO: 2/3/06

Committee Type: Unauthorized

Date Reviewed by ADRO: 2/24/06

Committee Name: Minnesota Democratic
Farmer Labor Party

District & State: MN

Election Won-Lost: N/A

Election Cycle: 2006

Summary of Referral: RAD referred the Minnesota Democratic Farmer Labor Party and Kerry Gautier, Treasurer, ("Respondents" or the "Committee") for failing to disclose all financial activity. Specifically, the Committee filed an amended 2005 March Monthly Report to disclose additional receipts totaling \$59,277.41 on May 16, 2005. Respondents filed the original 2005 March Monthly Report that disclosed no receipts on Line 18(a) (Transfers from Non-Federal Account for Allocated Activity) on March 18, 2005, for the period February 1, 2005, through February 28, 2005. On April 18, 2005, the Committee filed an amended 2005 March Monthly Report that disclosed no change in the amount of receipts obtained by the Committee. On May 16, 2005, a second amended 2005 March Monthly Report was filed that disclosed the additional receipts on Line 18(a) of \$59,277.41.

Respondents' Reply to RAD: Respondents filed a miscellaneous electronic text message on September 27, 2005, in response to a RFAI sent to the Committee on August 31, 2005. Respondents' electronic message stated the transfers disclosed on Line 18(a) were discovered during the reconciliation of the Committee's bank account. Respondents' message also indicated that the reconciliation had not been completed at the time the 2005 March Monthly Report was filed.

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Recommendation:
Assign to ADRO