

**RECEIVED**

By Office of the Commission Secretary at 10:53 am, Sep 27, 2023

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463**SENSITIVE****MEMORANDUM**

September 27, 2023

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Krista J. Roche *KJR*  
Director, ADR Office

Rosa Marshall *RM*  
Assistant Director, ADR Office

SUBJECT: Recommendation to Approve Negotiated Settlement  
ADR 1107 - Friends of Jim Clyburn and  
James Bennett, Treasurer (C00255562)

RESOLUTION TERMS: Certify that a representative of the Committee participated  
in an FEC training program and pay a civil penalty of  
\$3,500.

Attached for your review is a signed Negotiated Settlement pertaining to ADR 1107 (RAD 23L-13). The ADR Office received this referral from the Reports Analysis Division (RAD) on April 12, 2023.

**SUMMARY:** RAD referred Friends of Jim Clyburn and James Bennett, Treasurer (Respondents or the Committee) for failing to disclose all financial activity on its 2022 12-Day Pre-General Report, filed on October 27, 2022. On December 29, 2022, the Committee filed an Amended 2022 12-Day Pre-General Report which disclosed additional disbursements totaling \$62,102.29.

In a Form 99 (Miscellaneous Electronic Submission) filed on March 1, 2023, the Committee stated that their compliance consultant's serious illness and death led to the failure to disclose all financial activity on the original 2022 12-Day Pre-General Report. During negotiations, the Committee further stated that the consultant had extensive

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experience with the preparation and filing of Commission reports and had performed this responsibility for several years. Respondents further contend that the additional disbursements primarily consisted of a single transfer, totaling \$55,000, to a national party committee, which timely reported the activity on their report. The Committee stated that it has implemented new procedures in response to these circumstances, including hiring a new compliance consultant and aiming to build redundancies into all committee operations.

**RECOMMENDATIONS:**

1. Approve the attached Negotiated Settlement of Friends of Jim Clyburn and James Bennett, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.