



Federal Election Commission
Washington, DC 20463

MEMORANDUM

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silberman
Director, ADR Office

BY: Lynn M. Fraser
Assistant Director, ADR Office

SUBJECT: Negotiated Settlement ADR 155
Stephanie Tubbs Jones for US Congress
and Saundra Berry, Treasurer

DATE: May 13, 2004

Attached for your review is a signed agreement for ADR 155 (AR 04-01) – Respondents Stephanie Tubbs Jones for US Congress and Saundra Berry, Treasurer. This case originated with a referral from Audit on January 30, 2004, and was assigned to the ADR Office on February 23, 2004.

ADR 155 (AR 04-01): The Audit staff identified charges made on Respondents' American Express card from January 2001 through August 2002, totaling \$9,556, which may have been for the candidate's personal use in violation of 2 U.S.C. § 439a(b)(1) and 11 C.F.R. § 113.1(g)(1). The candidate reimbursed the committee for \$2,722 of the \$9,556 before the notification of the audit, although the reimbursement was not made within the 30 day time period allowed by the regulations. The candidate reimbursed her committee the full \$6,834, with the understanding that for those amounts she can demonstrate are permissible uses of campaign funds, the candidate will seek a refund from the committee.

Recommendation: We recommend that the Commission approve the negotiated settlement for ADR 155, that we subsequently close the file on this matter and send the appropriate letters.