



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 166

Source: MUR 5407

Case Name: Citizens for Anderson

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by Mark W. Wortham. Following a review of the matter and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA"), and to resolve this matter, the Federal Election Commission (the "Commission") entered into negotiations with George Anderson on behalf of Citizens for Anderson and Marilyn Anderson, Treasurer (the "Respondents" or the "Committee"). 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 have addressed all the issues raised in this matter. The parties have agreed to resolve the matter according to the following terms:

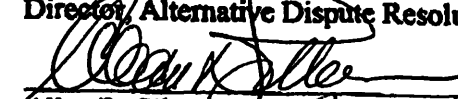
1. The Commission has entered into this agreement as part of its responsibility for administering the Federal Election Campaign Act and in an effort to promote compliance with the FECA on the part of the Respondents. The Commission's use of ADR procedures is authorized in "The Administrative Dispute Resolution Act of 1996", 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondents have voluntarily entered into this agreement with the Commission.
3. The complaint alleges that Respondents failed to follow instructions when they completed and then filed, in December 2003, the Statement of Organization. The complaint contends that Respondents failed to timely file a Statement of Organization, filed an incomplete Statement, failed to designate and obtain the signature of the Committee's Treasurer, omitted listing a web-page address for the Committee, improperly identified the Committee as a "separate segregated fund," failed to disclose the Committee's Custodian of campaign records and the Committee's bank depository.
4. Respondents acknowledged filing an incomplete Statement of Organization. Respondents advised that they were unaware of the incompleteness of their reports until the complaint was forwarded to them. They also acknowledged the Complainant's role in bringing to their attention the errors in the report filed with the Commission. Respondents subsequently corrected and subsequently filed on January 30, 2004 an amended report.
5. Each authorized campaign committee shall file a Statement of Organization no later than 10 days after designation of the candidate's principal campaign committee. 2 U.S.C. § 433(a) and 11 C.F.R. § 102.1(b). The Statement of Organization shall be signed by the treasurer and include the name and address of the treasurer of the committee. 2 U.S.C. § 433(b)(4) and 11 C.F.R. § 102.2(a)(1)(iv). Any change in information

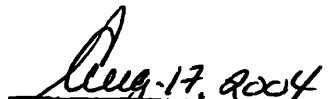
previously submitted in a Statement of Organization shall be reported in accordance with the subject statute and/or regulation no later than 10 days after the date of the change. 2 U.S.C. § 433(c) and 11 C.F.R. § 102.2(a)(2). The Statement of Organization shall include the name, address and committee position of the custodian of books and accounts of the committee, a listing of all banks or other depositories used by the committee and the Internet address of the committee's official web site. 2 U.S.C. §§ 433(b)(3) and (6) and 11 C.F.R. §§ 102.2(a)(1)(iii), (vi) and (vii). Each treasurer of a political committee shall be personally responsible for the timely and complete filing of the report and for the accuracy of any information or statement contained in it. 11 C.F.R. § 104.14(d).

6. The candidate, a first-time participant in a campaign for elective office, reported that he did not pay the state's qualifying fee required of all candidates for listing on the State's ballot due to his lack of funds and his ineffective efforts in raising funds for his campaign. He acknowledged his unpreparedness for competing in the campaign and stated his determination not to run for elective office in the future. In order to resolve this matter, Respondents acknowledged their violations of the FECA and agree to: 1) work with the Reports Analysis Division (RAD) to ensure that all reports filed with the Commission are accurate and complete; 2) to file for termination; and 3) accept an admonishment for the numerous errors contained in the Statement of Organization filed with the Commission.
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 undertake civil action in the U.S. District for the District of Columbia to secure compliance.
9. This agreement will become effective on the date signed by all the parties and approved by the Commission. Respondents shall comply with the terms of this settlement within thirty (30) days of the effective date of the agreement.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 166/MUR 5407 and effectively resolves this matter. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

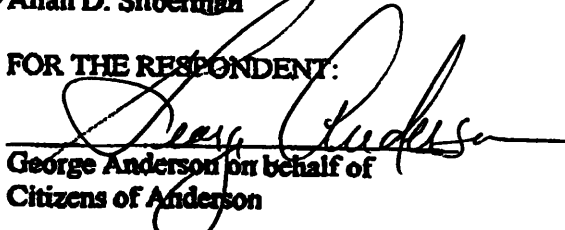
FOR THE COMMISSION:

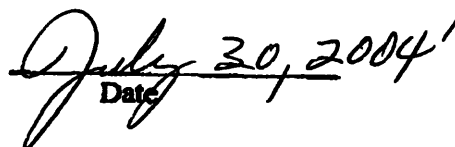
Allan D. Silberman,
Director, Alternative Dispute Resolution Office


Allan D. Silberman


Date

FOR THE RESPONDENT:


George Anderson on behalf of
Citizens of Anderson


Date