



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 174

Source: RR 04L-02

Case Name: Ohio State Republican Party

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission ("the Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following a review of the record and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA" or "Act"), and to resolve this matter, the Commission entered into negotiations with Glenn Matthews, CFO on behalf of the Ohio State Republican Party and Sarah Brown, Treasurer (the "Respondents"). 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 the 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 Respondent. 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. The Respondents have voluntarily entered into this agreement with the Commission.
3. The Reports Analysis Division (RAD) determined, after reviewing Respondents' August 2003 Monthly Report, that they failed to explain a \$144,725, or 311.9%, increase in reported receipts on the aforementioned Report. Respondents reported on August 20, 2003 no itemized contributions from individuals/persons other than political committees, no unitemized contributions from individuals/persons other than political committees and no contributions from political party committees or other federal receipts. On September 18, 2003 Respondents filed an amendment to their August 2003 Monthly Report disclosing \$23,880 in itemized contributions from individuals/persons, \$75,962.97 in unitemized contributions, \$1,442.85 in contributions from political committees and \$43,439.57 in additional receipts.
4. Respondents acknowledged the reporting errors and in response to a Request For Additional Information (RFAI) advised that additional receipts disclosed on an amended report were not included on the original filing due to corruption on their database.
5. Each treasurer of a political committee shall file reports of receipts and disbursements in accordance with the provisions of the Act. 2 U.S.C. § 434(a)(1).

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6. Reports required under provision of 2 U.S.C. § 434 shall disclose for the reporting period the total amount of all receipts and the total amount of all receipts in the following categories: contributions from persons other than political committees; contributions from political party committees; and dividends, interest, and other forms of receipts, *inter alia*. 2 U.S.C. §§ 434(b)(2)(A), (C), (J) and 11 C.F.R. §§ 104.3(a)(2)(i)(A), (B) and 104.3(a)(2)(ii) and (viii)
7. Respondents acknowledged filing the subject August Report with incomplete data rather than not file. Immediately after filing the aforementioned Report, they advised RAD that they were having problems retrieving contributor information. In order to resolve this matter and avoid similar problems in the future, Respondents agree to: 1) select at least two individuals from the staff of the State Party to attend, within twelve months of the effective date of this agreement, a FEC seminar on Federal election campaign reporting requirements; and 2) pay a civil penalty of \$2,000.
8. 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.
10. The parties agree that if the Respondents fail to comply with the terms of this settlement, the Commission may undertake civil action in the U.S. District Court for the District of Columbia to secure compliance and/or forward any outstanding civil penalty to the US Treasury for collection.
11. 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 settlement listed in paragraph seven (7) within twelve (12) months for item one (1) and within sixty (60) days for item two (2) which shall be paid in two equal payments following the effective date of this agreement.
12. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 174/RR 04L-02 and effectively resolves this matter. No other statement, promise or Agreement, either written or oral, made by either party, not included in herein, shall be enforceable.

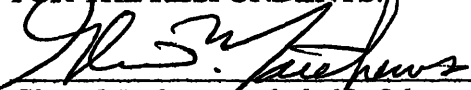
FOR THE COMMISSION:

Allan D. Silberman
 Director Alternative Dispute Resolution Office


 Allan D. Silberman

10/12/04
 Date

FOR THE RESPONDENTS:


 Glenn Matthews on behalf of the
 Ohio State Republican Party

9/22/04
 Date

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