



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 185

Source: RAD 04L-09

Case Name: Jesse Jackson, Jr. for Congress

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 Carol Stanley-Robbins, Treasurer on behalf of Jesse Jackson, Jr. for Congress and Carol Stanley-Robbins, Treasurer ("the Respondents" or "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 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 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. The Respondents have voluntarily entered into this agreement with the Commission.
3. The Reports Analysis Division (RAD) determined that Respondents understated their financial activity on their 2004 Twelve Day Pre-Primary Report when they failed to disclose \$67,879.80 in disbursements that was later reported on an amended Twelve Day Pre-Primary Report. Respondents' initial Twelve Day Pre-Primary Report, filed on March 5, 2004, disclosed disbursements of \$500. Respondents' reply to a Request For Additional Information (RFAI), unrelated to the subject issue, disclosed on an amended report filed on April 14, 2004, total disbursements of \$68,379.80. In reply to a subsequent RFAI, the Committee confirmed, in a second amended report filed on June 2, 2004, the accuracy of disbursement activity listed on the amended reports.
4. Financial disclosure reports filed with the Commission by reporting committees shall disclose for the reporting period and the election cycle the total amount of all disbursements and all disbursements in the categories listed at 2 U.S.C. § 434(b)(4). These reports shall disclose the name and address of each person or committee to whom an expenditure, transfer, loan repayment, contribution refund or offset is made in accordance with the provisions of 2 U.S.C. § 434(b)(5). In addition, these reports shall


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report the name and address of each person who has received any disbursement not previously disclosed under the aforementioned provision of the Act. 2 U.S.C § 434(b)(6). See also 11 C.F.R. § 104.3(b)

5. Respondents acknowledged the reporting errors and described problems in transcribing and retrieving data that led to errors in reports filed with the Commission. The Committee reported that they were unaware of the missing data until notification was received from the FEC advising that they had understated their financial activity.
6. In an effort to resolve these matters and avoid similar problems in the future, Respondents agree to: 1) designate a staff member to be responsible for FEC compliance; 2) select and send two individuals from the Committee's staff to attend, within fourteen (14) months of the effective date of this agreement, a FEC seminar on Federal election campaign reporting requirements; and 3) pay a civil penalty of \$3,500.
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 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.
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 for item one (1) and three (3) and within fourteen (14) months following the effective date of this agreement for item two (2).
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 185/RR 04L-09 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

11-12-04
Date

FOR THE RESPONDENTS:


Carol Stanley-Robbins, Treasurer for
Jesse Jackson, Jr. for Congress

Date

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