



**Federal Election Commission  
Washington, DC 20463**

Case Number ADR 207-2  
Source: MUR 5464  
Case Name Cannon For Congress

## **NEGOTIATED SETTLEMENT**

This matter was initiated by a signed, sworn and notarized complaint filed by Russell Sias. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, ("FECA") and resolve this matter, the Federal Election Commission ("Commission") entered into negotiations with Frank M. Northam, Esq. representing Cannon for Congress, Curtis S. Bramble, Treasurer, Christopher Cannon and Marco Diaz ("the committee" or "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 Respondents addressed the issues raised in this complaint. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures ("ADR") 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 voluntarily enter into this agreement with the Commission.
3. The complaint asserts that Respondents participated in a Spanish language radio program about Congressman Cannon's reelection campaign on May 22, 2004. Complainant alleges that the program host encouraged foreign nationals to contribute to Congressman Cannon's reelection campaign, and to make contributions in the name of another person; i.e., minor children in violation of the FECA.
4. The FECA prohibits foreign nationals from contributing or donating, directly or indirectly, to Federal, State or local elections, or to a committee of a political party. The statute also prohibits a person from soliciting, accepting, or receiving a contribution or donation from a foreign national. 2 U.S.C. § 441e(a), 11 C.F.R. § 110.20. In addition, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. 2 U.S.C. § 441f, 11 C.F.R. § 110.4(b).
5. Respondents acknowledge that while the host of the program may have misspoke in his enthusiasm to encourage listeners to become active in the political process,

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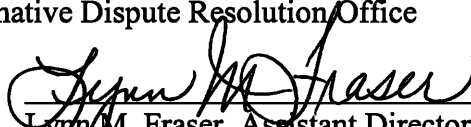
Respondents made every effort to correct errors. Respondents contend that the translation provided by the Complainant is not completely accurate, and that some of the remarks attributed to the program host about encouraging allegedly illegal activity did not reflect what was said.

6. Respondents, in an effort to avoid similar errors in the future, agree to have the Treasurer, as well as the Respondent Marco Diaz, attend an FEC seminar for Congressional Candidates and Committees within twelve months of the effective date of this agreement.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they consent to the execution of 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 submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of the settlement within twelve months from the effective date of this agreement.
10. This Negotiated Settlement constitutes the entire agreement between Cannon for Congress, Curtis S. Bramble, Treasurer, Christopher Cannon and marco Diaz and the Commission on ADR 207 (MUR 5464), 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:

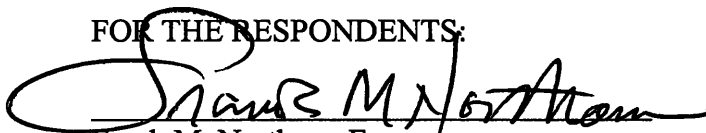
Allan D. Silberman, Director  
Alternative Dispute Resolution Office

By:

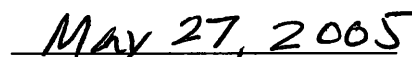
  
Lynn M. Fraser, Assistant Director  
Alternative Dispute Resolution Office

  
Date Signed

FOR THE RESPONDENTS:

  
Frank M. Northam, Esq.

Counsel for Cannon For Congress, Curtis S. Bramble, Treasurer  
Christopher Cannon and Marco Diaz

  
Date Signed

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