



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

Case Number ADR 212  
Source RR 04L-16  
Case Name: TRUTHANDHOPE.ORG

### **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 Eugene Hedlund on behalf of TRUTHANDHOPE.ORG and Eugene Hedlund, 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 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 determined that Respondents failed to timely file six (6) twenty-four (24) hour notices for independent expenditures totaling \$29,810 made after the 20<sup>th</sup> day but more than 24 hours before 12:01 a.m. of the day of the 2004 Democratic Presidential Primary Elections in California, Connecticut, Massachusetts, Nevada, New York and Wisconsin primaries respectively.
4. A person, including a political committee, that makes or contracts to make independent expenditures aggregating \$1,000 or more after the 20<sup>th</sup> day, but more than 24 hours, before the date of an election shall file a report describing the expenditure within 24 hours. 2 U.S.C. § 434(g)(1) and 11 C.F.R. § 104.4(c).
5. Each report shall disclose the name and address of each person who receives any disbursement during the reporting period in an aggregate amount or value in excess of \$200 within the calendar year in connection with an independent expenditure by the reporting committee, together with the date, amount and purpose of any such independent expenditure and a statement which indicates whether such independent expenditure is in support of, or in opposition to a candidate, as well as the name and

office sought by such candidate, and a certification, under penalty of perjury, whether such independent expenditure is made in cooperation, consultation, or concert, with, or at the request or suggestion of any candidate or any authorized committee or agent of such committee. 2 U.S.C. § 434(b)(6)(B)(iii) and 11 C.F.R. § 104.4(a).

6. Respondents acknowledge failing to file six notices of last minute independent expenditures as required in the regulations. Respondents note that some of the independent expenditures were inadvertently omitted from the Committee's filings and that once the omissions were identified, amended reports were filed with the Commission.
7. In order to avoid similar errors in the future, Respondents agree to: 1) send, within twelve months of the effective date of this agreement, the Committee's Treasurer to a FEC seminar on Federal election campaign reporting requirements or another appropriate FEC sponsored seminar; 2) ensure that Committee's staff is kept advised of the FECA reporting requirements pertaining to political action committees; and 3) pay a civil penalty of \$4,000.
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.
9. 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 the parties and approved by the Commission. Respondents shall comply with the terms of this settlement within twelve (12) months of the effective date of the agreement for items one and two in paragraph seven (7) and within ninety (90) days for item three of paragraph seven (7).
11. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 212/RR 04L-16 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

  
Date

FOR THE RESPONDENTS:

  
Eugene Hedlund, Treasurer on behalf of  
TRUTHANDHOPE.ORG

  
Date