



**Federal Election Commission
Washington, DC 20463**

January 25, 2007

Paul Kilgore
ClayForCongress.com
337 S. Milledge Avenue, Suite 101
Athens, GA 30605

Re: ADR #327
ClayForCongress.com and Thomas Rogers, Treasurer

Dear Mr. Kilgore:

Enclosed is the signed copy of the agreement resolving the referral initiated on September 26, 2005 with the Federal Election Commission ("FEC/Commission") against ClayForCongress.com and Thomas Rogers, Treasurer ("Respondents"). The agreement for ADR 327 (RR 05L-56) was approved by the Commission on January 10, 2007 – the effective date of the agreement.

Note that paragraph 9 of the agreement specifies that Respondents shall comply with the terms of this settlement within thirty (30) days of the effective date of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6.

As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

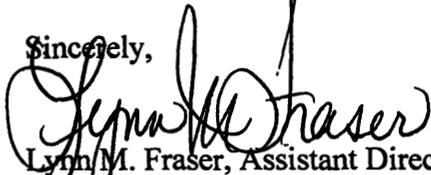
This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities regarding violations of federal election campaign laws. I appreciate your

**Federal Election Commission – Alternative Dispute Resolution Office
999 E Street, N.W., Washington, D.C. 20463
Telephone: 202.694.1670 Fax: 202.219.0613**

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assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,



Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement

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Federal Election Commission
Washington, DC 20463

Case Number ADR 327
Source: RR 05L-56
Case Name ClayForCongress.com

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission ("Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. 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 Commission entered into negotiations with Paul Kilgore, representing ClayForCongress.com and Thomas Rogers, in his official capacity as Treasurer ("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 referral. 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 Reports Analysis Division ("RAD") determined that Respondents failed to disclose all financial activity on their 2004 October Quarterly Report. Respondents filed their original 2004 October Quarterly Report on October 15, 2004. Respondents then filed an Amended 2004 October Quarterly Report to disclose additional disbursements totaling \$247,519.72.
4. Treasurers of political committees are required to report all financial activity, including all disbursements, pursuant to the FECA. 2 U.S.C. §§ 434(a)(1), 434(b)(4), 11 C.F.R. §§ 104.1, 104.3(b)
5. Respondents acknowledge an inadvertent omission resulting in the increased disbursements on the Amended 2004 October Quarterly Report. This error resulted from media buys made by wire transfer that were not noted by the campaign staff.

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- 6 Respondents, in an effort to avoid similar errors in the future, agree to: (a) work with Commission staff to terminate the Committee; and (b) pay a civil penalty of \$1,000.
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 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 within thirty (30) days from the effective date of this agreement.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 327 (RR 05L-56), and effectively resolves the issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office



01-09-07
Date Signed

FOR THE RESPONDENTS:



Paul Kilgore
Representing ClayForCongress.com and
Thomas Rogers, Treasurer

12-19-06
Date Signed