



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

September 24, 2007

Roy Giddens  
5001 LBJ Freeway, Suite 900  
Dallas, TX 75244

Re: ADR 413 (RR 07L-30)  
Van Taylor for Congress and Roy Giddens, Treasurer

Dear Mr. Giddens:

The Reports Analysis Division of the Federal Election Commission (FEC/Commission) determined that matters arising from its recent review of reports filed by the Van Taylor for Congress warranted further examination for possible violation of the Federal Election Campaign Act of 1971, as amended. The Commission, thereafter, reviewed the file and voted on September 19, 2007 to assign this matter to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with Van Taylor for Congress and Roy Giddens, Treasurer (Respondents or Committee). The ADR Program provides Respondents with an opportunity to negotiate, and if appropriate, mediate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations and/or mediation are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the Program, i.e., negotiation and/or mediation, you must: 1) indicate in writing a willingness to have your case submitted to the ADR process; 2) agree to participate in the bilateral negotiations and if appropriate, mediation; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADR Office, and the focus of our subsequent negotiations are summarized as follows:

**SUMMARY:** 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). RAD referred Van Taylor for Congress and Roy Giddens, Treasurer (Respondents or the Committee) for failing to disclose all financial

activity on their 2006 12 Day Pre-General and 2006 30 Day Post-General Reports. Respondents filed the amended reports for the 2006 Pre-General and the 2006 30 Day Post-General on January 30, 2007, disclosing additional disbursements for the former of \$102,808.40 (a 57.6% increase from the original report) and additional disbursements of \$58,836.58 for the latter report (a 21.4% increase).

In an electronic submission to RAD, the Committee explained that the increased disbursements for the 2006 12 Day Pre-General was the result of one missed media buy and that the two other electronic funds transfers were reported. The Committee further stated that there was a failure of communication between staff and the person who filed the report. The Committee added that the timing of the due date of the report exacerbated the problem and that there was no available bank statement for reconciliation. The Committee did not respond to the RFAI relating to the increased disbursements for the 30 Day Post-General Report.

If after reviewing this letter and the enclosed brochure, which describes the ADR program, Respondents would like this case selected for ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR Program form. **Failure to respond affirmatively within fifteen (15) business days of receipt of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited may increase.

If you decide to participate in the ADR Program, please provide any additional responses Respondents would like to make, including proposed stipulations or terms to resolve the matter. **Please also provide some dates and times when you'd be available to discuss this matter in detail on a separate sheet of paper.** I will then review my calendar, so that a time can be scheduled.

This matter has been designated as ADR 413. Please refer to this number in future correspondence with the FEC. If you have any questions about the ADR Program, please contact me directly at the number given below.

Sincerely,



Deborah Ruth Kant, Director  
Alternative Dispute Resolution Office  
202-694-1661

Enclosures: Brochure  
Commitment to Submit Matter to ADR  
Designation of Representative/Counsel

28190273430