



Federal Election Commission
Washington, DC 20463

November 21, 2008

Gina Noll
The Hawkeye PAC
P.O. Box 7255
Des Moines, IA 50309

Re: ADR 416 (RAD 07L-33)
The Hawkeye PAC and Gina Noll, Treasurer

Dear Ms. Noll:

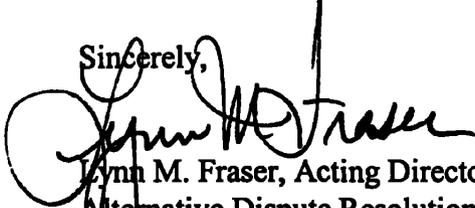
Enclosed is the signed copy of the agreement resolving the referral initiated on September 17, 2007 with the Federal Election Commission ("FEC/Commission") against The Hawkeye PAC and Gina Noll, Treasurer ("Respondents"). The agreement for ADR 416 (RAD 07L-33) was approved by the Commission on November 5, 2008 – the effective date of the agreement.

Note the specific time frames for compliance in paragraph 9 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 and contain the ADR caption and case number. **The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on December 5, 2008. Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.**

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

Sincerely,



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

Enclosure: Agreement

cc: Angela Dillard, Finance and Accounting Office
Ken Pezzella, Finance and Accounting Office
Room 819

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**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 416
Source: RAD 07L-33
Case Name: The Hawkeye PAC

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 Gina Noll, representing The Hawkeye PAC and Gina Noll, in her 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 guided by "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) referred Respondents for failing to disclose all financial activity on their 2006 October Quarterly Report. After timely filing its 2006 October Quarterly Report, the Committee filed an amended 2006 October Quarterly Report on January 30, 2007 that disclosed additional disbursements totaling \$64,940.17.
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 the inadvertent omission several disbursements on the original 2006 October Quarterly Report due to a communication error. Respondents contend that the PAC, established in 2002, experienced a dramatic increase in activity in 2006 for which it was unprepared. When it recognized the deficiencies in compliance, the Committee immediately did an internal audit that reviewed all records and reports from 2002 to the present, and developed financial procedures to

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maintain compliance. Respondents assert they maintain consistent reconciliation of bank statements to FEC reports, and instituted other systemic changes to ensure that the requirements of the law are met. The Treasurer attended a FEC conference to increase her understanding of the requirements of the FECA.

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) appoint a compliance specialist; (b) develop and maintain a compliance manual for Committee staff use; (c) send a representative to a FEC conference within twelve (12) months of the effective date of the agreement; and (d) 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 (a), (b) and (d) in paragraph six (6) above within thirty (30) days of the effective date of this agreement. Respondents agree to comply with term (c) in paragraph six (6) above within twelve (12) months of the effective date of this agreement.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 416 (RAD 07L-33), and resolves only those 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:

Deborah Ruth Kant, Director
Alternative Dispute Resolution Office

By:


Lynn M. Fraser, Assistant Director

11/5/08
Date Signed

FOR THE RESPONDENTS:


Gina Noll
Representing The Hawkeye PAC and
Gina Noll, Treasurer

1/22/08
Date Signed

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