



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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2009 MAR 27 P 3:03

**SENSITIVE**

**MEMORANDUM**

March 27, 2009

TO: The Commission

THROUGH: Robert A. Hickey  
Staff Director

FROM: John D. Gibson  
Chief Compliance Officer

Lynn M. Fraser  
Acting Director, ADR Office

SUBJECT: ADR 488 Mississippi Republican Party and Tom Butchart, Treasurer,  
Informational Memo on Assignment

The Reports Analysis Division (RAD) referred RAD 09L-09 for processing, and the ADR Office designated the referral as ADR 488. We include a brief summary and discussion of the referral for your information. We anticipate initiating communication with Respondents in ADR 488 on April 2, 2009. Please contact Lynn Fraser if you have any questions or concerns before then. A copy of the referral is in the voting ballots folder.

**Summary of Case:** RAD referred the Mississippi Republican Party and Tom Butchart, Treasurer (Respondents or the Committee) for failing to disclose all financial activity. Specifically, the Committee failed to timely file three (3) 24-Hour Notices totaling \$29,413.66 to support three (3) independent expenditures made after the twentieth day before, but more than twenty-four hours prior to 12:01 a.m. on the day of, the 2008 Mississippi 1<sup>st</sup> Congressional District Special General Election. These independent expenditures were originally disclosed on the Committee's 2008 May Monthly Report.



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

April 2, 2009

Tom Butchart  
Mississippi Republican Party  
P.O. Box 60  
Jackson, MS 39205

Re: ADR 488 (RAD 09L-09)  
Mississippi Republican Party and Tom Butchart, Treasurer

Dear Mr. Butchart:

The Reports Analysis Division of the Federal Election Commission (FEC or Commission) determined that matters arising from its recent review of reports filed by Mississippi Republican Party warranted further examination for possible violation of the Federal Election Campaign Act of 1971, as amended. The Commission, thereafter, reviewed the file and assigned 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 Mississippi Republican Party and Tom Butchart, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate, and if necessary, 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 necessary, 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 ADRO, and the focus of our subsequent negotiations are summarized as follows:

RAD referred the Mississippi Republican Party and Tom Butchart, Treasurer (Respondents or the Committee) for failing to disclose all financial activity. Specifically,

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE  
999 E STREET N.W., WASHINGTON, DC 20463  
TELEPHONE: 202.694.1665 FAX: 202.219.0613  
EMAIL: lfraser@fec.gov

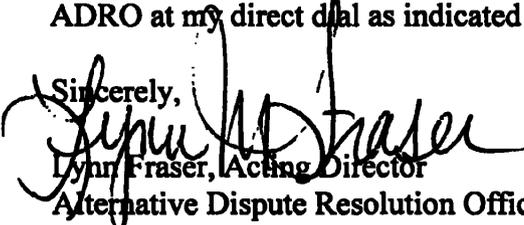
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the Committee failed to timely file three (3) 24-Hour Notices totaling \$29,413.66 to support three (3) independent expenditures made after the twentieth day before, but more than twenty-four hours prior to 12:01 a.m. on the day of, the 2008 Mississippi 1<sup>st</sup> Congressional District Special General Election. These independent expenditures were originally disclosed on the Committee's 2008 May Monthly Report.

If after reviewing this letter and the enclosed brochure, which describes the ADR program, Respondent(s) would like this case selected for ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR 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 during the next election cycle will increase.

This matter has been designated as **ADR 488**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADRO at my direct dial as indicated below

Sincerely,

  
Lynn Fraser, Acting Director

Alternative Dispute Resolution Office  
202-694-1665

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