



**Federal Election Commission
Washington, DC 20463**

September 22, 2009

Kevin Wiley
Alaskans for Begich
P.O. Box 240287
Anchorage, AK 99524

Re: ADR 503 (RAD 09L-25)
Alaskans for Begich and Kevin Wiley, Treasurer

Dear Mr. Wiley:

Enclosed is the signed copy of the agreement resolving the referral initiated on July 14, 2009 by the Federal Election Commission ("FEC/Commission") involving Alaskans for Begich and Kevin Wiley, Treasurer ("Respondents"). The agreement for ADR 503 (RAD 09L-25) was approved by the Commission on September 17, 2009 – the effective date of the agreement.

Note the specific time frames for compliance in paragraph 5 of the agreement. **Please forward to this office, a statement confirming Respondent's compliance with the terms listed in the aforementioned agreement.** The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 5, 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 or before October 17, 2009. 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.

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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 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: Chris Wedderburn, Finance and Accounting Office
Room 819

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**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 503
Source: RAD 09L-25
Case Name: Alaskans for Begich

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 Kevin Wiley representing the Alaskans for Begich and Kevin Wiley, 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 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 the Committee for failing to disclose all financial activity on their 2008 30 Day Post-General and their 2008 Year End Reports. Respondents filed an amended 2008 30 Day Post-General Report that disclosed additional debts totaling \$309,907.70 on March 30, 2009. Respondents filed an amended 2008 Year End Report that disclosed additional debt of \$109,370.32 on March 29, 2009. Neither of the original reports disclosed any debt.
4. Respondents acknowledge an inadvertent omission of debt on the two reports due to their lack of experience in campaign finance. The Respondents contend, however, that \$86,161 of the same debt is included in both reports, thus decreasing the actual amount of undisclosed debt. In addition, the Committee contends that it made changes to its financial policies and procedures, and hired staff with campaign finance experience to increase compliance.
5. Respondents, in an effort to avoid similar errors in the future, agree to: (a) develop and maintain a compliance manual for staff reference within thirty (30) days of the effective

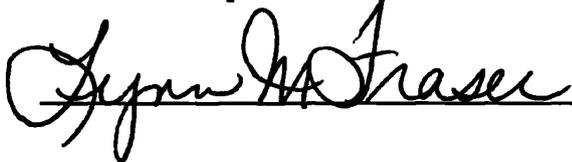
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date of this agreement; (b) send a representative to a FEC conference within twelve (12) months of the effective date of this agreement; and (c) pay a civil penalty of \$3,500 within thirty (30) days of the effective date of this agreement.

6. 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.
7. 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.
8. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above.
9. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 503 (RAD 09L-25), and resolves 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:

Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office



9/17/09
Date Signed

FOR THE RESPONDENTS:



Kevin Wiley
Representing Alaskans for Begich and
Kevin Wiley, Treasurer

9/4/09
Date Signed

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