



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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SENSITIVE

MEMORANDUM

November 16, 2009

TO: The Commission

THROUGH: Alec Palmer
Acting Staff Director *AP*

FROM: John D. Gibson *JG*
Chief Compliance Officer

Lynn M. Fraser *LMF*
Director, ADR Office

SUBJECT: ADR 522 Houston Fire Fighters Political Action Fund, International
Association of Fire Fighters and Jeffery Caynon, Treasurer,
Informational Memo on Assignment

The Office of General Counsel referred RR 09L-38 for processing on November 5, 2009, and the ADR Office designated the matter as ADR 522. We include a summary and discussion of the referral for your information. We anticipate initiating communication with Respondents in ADR 522 on November 18, 2009. Please contact Lynn Fraser if you have any questions or concerns before then.

Summary of Case: RAD referred the Houston Fire Fighters Political Action Fund, International Association of Fire Fighters and Jeffery Caynon, Treasurer (Respondents or the Committee) for circumventing the Administrative Fine Program during the 2005-2006 election cycle. Respondents filed two post-due reports, the 2006 October Quarterly and 2006 Year-End Reports, on March 9, 2009. These reports disclosed total receipts of \$56,068.50 and total disbursements of \$76,950.00, and covered the period of July 1 through December 31, 2006. This period included the 30 Day Post-General Report coverage period of October 1 through November 27, 2006. Prior to filing these reports, the Committee did not appear to have sufficient activity for inclusion in the Administrative Fines Program during the 2005-2006 election cycle.

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 17, 2009

Richard C. Mumey
The Mumey Law Firm
1225 North Loop West, Suite 1000
Houston, TX 77008

Re: ADR 522 (RR 09L-38)
Houston Fire Fighters PAC and Jeffrey Caynon, Treasurer

Dear Mr. Mumey:

The Federal Election Commission (FEC or Commission) referred a compliance issue to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing. The referral by the Reports Analysis Division was based on a review of reports filed by Houston Fire Fighters PAC and Jeffrey Caynon, Treasurer which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

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 Houston Fire Fighters PAC and Jeffrey Caynon, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate 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 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 ADR Program, you must: 1) indicate in writing a willingness to have your case submitted for ADR processing; 2) agree to participate in the bilateral interest based negotiations; 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:

RAD referred the Houston Fire Fighters Political Action Fund, International Association of Fire Fighters and Jeffery Caynon, Treasurer (Respondents or the Committee) for circumventing the Administrative Fine Program during the 2005-2006 election cycle. Respondents filed two post-due reports, the 2006 October Quarterly and 2006 Year-End Reports, on March 9, 2009. These reports disclosed total receipts of \$56,068.50 and total

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
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EMAIL: lfraser@fec.gov

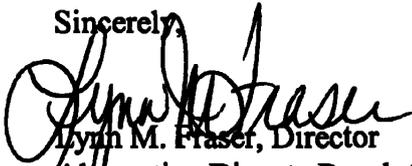
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If after reviewing this letter and the enclosed brochure, which describes the ADR program, Respondent(s) would like this case selected for ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. **Please return the form no later than December 5, 2009 along with your response to the referral. Failure to respond affirmatively by this date 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 522**. 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 M. Fraser, Director
Alternative Dispute Resolution Office
202-694-1659

Enclosures: Brochure
Commitment to Submit Matter to ADR

cc: Neil Reiff