



FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 18, 2009

Scott MacKenzie
William Russell for Congress 2008
1155 15th St., NW, Suite 410
Washington, DC 20005

Re: ADR 531 (RAD 09L-48)
William Russell for Congress 2008 and Scott MacKenzie, Treasurer

Dear Mr. MacKenzie:

The Reports Analysis Division of the Federal Election Commission (FEC or Commission) determined that matters arising from its recent review of reports filed by William Russell for Congress 2008 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 William Russell for Congress 2008 and Scott MacKenzie, 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 William Russell for Congress 2008 and Scott MacKenzie, Treasurer (Respondents or the Committee) for failing to disclose all financial activity on their 2008 12 Day Pre-General Report. Respondents filed their original 2008 12 Day Pre-General Report

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

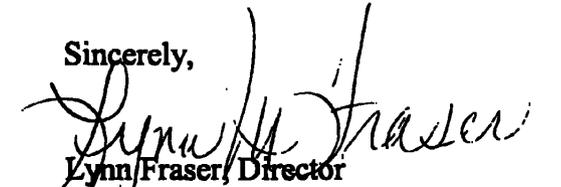
10190290804

on October 25, 2008. On July 15, 2009 and August 4, 2009, the Committee filed amended 2008 12 Day Pre-General Reports which disclosed an aggregate of additional receipts of \$99,580.81, and additional disbursements of \$103,767.65.

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 531**. 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, Director
Alternative Dispute Resolution Office
202-694-1665

Enclosures:

Brochure

Commitment to Submit Matter to ADR and Designation of Representative/Counsel