



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

100-100011-162
August 27, 2019

Neil Reiff, Esq.
1090 Vermont Avenue, NW
Suite 750
Washington, DC 20005

Re: ADR 907
Tennessee Democratic Party and Geeta McMillan, Treasurer

Dear Neil Reiff:

Enclosed is the signed copy of the Negotiated Settlement resolving the above-
shown matter. **The Negotiated Settlement was approved by the Commission on August
21, 2019 – the effective date of the agreement.**

Note the specific timeframes for compliance detailed in the agreement. **Please
forward to this office, a statement confirming Respondent's compliance with the
terms(s) listed in the aforementioned agreement.** The letter should note the dates on
which Respondents satisfied each of the terms and contain the ADR case number. For your
convenience, a compliance chart is attached.

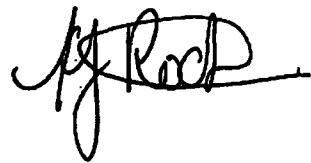
**Under the terms of the agreement, a civil penalty in the amount of \$2,100.00 is
due by September 20, 2019.** Kindly review the attached payment instructions for details
on payment methods and the collection of unpaid debts.

As you are aware, the Negotiated Settlement 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 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 Records Office.

This agreement resolves this matter. I appreciate your assistance in effectively
resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

FEDERAL ELECTION COMMISSION – ALTERNATIVE DISPUTE RESOLUTION OFFICE
1050 FIRST STREET, N.E., WASHINGTON, D.C. 20463
TELEPHONE: 202.694.1661
EMAIL: ADR@FEC.GOV



**Krista J. Roche
Director
Alternative Dispute Resolution Office**

Enc:

Negotiated Settlement

cc: Gwendolyn Holmes, Finance and Accounting Office



**FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463**

Case Number: ADR 907
Source: AD 17-23
Case Name: Tennessee Democratic Party

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 Neil Reiff, Esq. representing Tennessee Democratic Party and Dr. Geeta McMillan, in the official capacity of 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 52 U.S.C. § 30109.
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Audit Division referred Respondents for depositing a prohibited contribution, totaling \$15,000, into their federal bank account. These funds were deposited on May 31, 2016, and transferred out of the federal bank account on July 26, 2019.
4. It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, and it is unlawful for any candidate or political committee to accept such contributions. 52 U.S.C. §§ 30116 (f), 30118(a), 11 C.F.R. §§ 114.2(a), 114.2(d)
5. Respondents state that the prohibited contribution was inadvertently deposited into the federal bank account, but was intended for the non-federal bank account. The funds were transferred to the non-federal account on July 26, 2019 in order to resolve the issue.
6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) perform required corrective action in accordance with the Corrective Action Plan (Exhibit A) within thirty (30) days of the effective date of this agreement; (b) certify that a representative of the Committee participated in an FEC conference, webinar, or other program developed in

consultation with the FEC's Information Division within twelve (12) months of the effective date of this agreement; and (c) pay a civil penalty of \$2,100 within thirty (30) days of the effective date of this agreement.

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 of this agreement as set out in paragraph 6 above, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 907 (AD 17-23), 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:

**Krista J. Roche, Director
Alternative Dispute Resolution Office**

Mr. Rock

8/21/09

FOR THE RESPONDENTS:


Neil Reiff, Esq. DH
Representing Tennessee Democratic Party
and Dr. Geeta McMillan, Treasurer

8/2/19