



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 18, 1999

Jennifer R. Cannon, Treasurer
Boyd for Congress
P. O. Box 15703
Tallahassee, FL 32317

RE: MUR 4837
Boyd for Congress and
Jennifer R. Cannon, as treasurer

Dear Ms. Cannon:

On June 16, 1999, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric S. Brown".

Eric S. Brown
Paralegal Specialist

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 4837
Boyd for Congress and)
Jennifer R. Cannon, as treasurer)

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Suzanne Stein. The Federal Election Commission ("Commission") found reason to believe that Boyd for Congress and Jennifer R. Cannon, as treasurer, ("Respondents") violated 2 U.S.C. § 441d(a).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Boyd for Congress is a principal campaign committee within the meaning of 2 U.S.C. § 431(5).

2. Boyd for Congress is an authorized committee within the meaning of 2 U.S.C. § 431(6).

3. Jennifer R. Cannon is the treasurer of Boyd for Congress.

4. The Honorable F. Allen Boyd, Jr., was a 1996 and 1998 candidate for the U. S. House of Representatives from Florida's Second Congressional District.

5. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that when a person makes an expenditure expressly advocating the election of a clearly identified candidate through any outdoor advertising, such communication, if paid for and authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state that the communication has been paid for by such authorized political committee. 2 U.S.C. § 441d(a).

6. Campaign yard signs were contributed to Boyd for Congress as \$1,000 in-kind contributions to Boyd's 1996 primary election and 1996 general election. The yard signs were used during the 1996 and 1998 election cycles.

7. The yard signs expressly advocated the election of F. Allen Boyd, Jr., and included the statement, "PPA Friends of Boyd for Congress."

V. Respondents failed to provide a proper disclaimer on the campaign yard signs, in violation of 2 U.S.C. § 441d(a).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Five Hundred dollars (\$500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.


IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

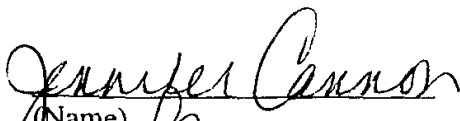
Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

6/18/99
Date

FOR THE RESPONDENTS:


(Name)
(Position) Treasurer

6-2-99
Date