



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Karen Emily Hyer

SEP -4 2013

Provo, UT 84604

RE: MUR 6375 (The Independence Caucus)

Dear Ms. Hyer:

This is in reference to the complaint you filed with the Federal Election Commission on September 15, 2010, alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission found that there was reason to believe that The Independence Caucus violated 2 U.S.C. § 434, a provision of the Act, and conducted an investigation in this matter. On August 22, 2013, a conciliation agreement signed by The Independence Caucus was accepted by the Commission. The Commission also dismissed all allegations against Friends of Jason Chaffetz and Corie Chan in her capacity as treasurer. Accordingly, the Commission closed the file in this matter on August 22, 2013.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). A copy of the agreement with The Independence Caucus is enclosed for your information.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Peter Reynolds

Enclosure
Conciliation Agreement

13044342896

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2 2013 JUL 23 11:10

3 In the Matter of)
4)
5 The Independence Caucus and Frank)
6 Anderson, in his official capacity as)
7 Treasurer, a/k/a The Independence)
8 Caucus, a Utah non-profit corporation)

OFFICE OF GENERAL COUNSEL

MUR 6375

9
10 **CONCILIATION AGREEMENT**

11
12 This matter was initiated by a signed, sworn, and notarized complaint by Karen Emily
13 Hyer. The Federal Election Commission ("Commission") found reason to believe that The
14 Independence Caucus ("Respondent") violated 2 U.S.C. §§ 434(a) and (b).

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

18 I. The Commission has jurisdiction over the Respondent and the subject matter of this
19 proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.
20 § 437g(a)(4)(A)(i).

21 II. Respondent has had a reasonable opportunity to demonstrate that no action should be
22 taken in this matter.

23 III. Respondent enters voluntarily into this agreement with the Commission.

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

25 1. The Independence Caucus is registered with the Commission as a non-
26 connected federal political committee (FEC ID C00461764).

27 2. The Federal Election Campaign Act of 1971, as amended (the "Act"), requires
28 political committees to file periodic reports of receipts and disbursements with the Commission.
29 See 2 U.S.C. §§ 434(a), 434(b).

3. The Independence Caucus failed to file its 2009 Mid-Year, 2009 Year-End, July 2010 Quarterly, 2010 Post-General, 2010 Year-End, 2011 Mid-Year, 2011 Year-End, April 2012 Quarterly, July 2012 Quarterly, October 2012 Quarterly, and 2012 Post-General Reports with the Commission.

4. Additionally, investigation showed that The Independence Caucus failed to report an aggregate of approximately \$90,374 in receipts and disbursements in its 2009 Mid-Year, 2009 Year-End, April 2010 Quarterly, July 2010 Quarterly, and October 2010 Quarterly Reports.

V. 1. Respondent violated 2 U.S.C. § 434(a) by failing to file its 2009 Mid-Year, 2009 Year-End, July 2010 Quarterly, 2010 Post-General, 2010 Year-End, 2011 Mid-Year, 2011 Year-End, and April 2012 Quarterly Reports with the Commission.

2. Respondent violated 2 U.S.C. § 434(b) by failing to properly report its receipts and disbursements in its 2009 Mid-Year, 2009 Year-End, April 2010 Quarterly, July 2010 Quarterly, and October 2010 Quarterly Reports.

VI. 1. Respondent will pay a civil penalty to the Commission in the amount of \$800, pursuant to 2 U.S.C. § 437g(a)(5)(A).

2. Respondent will cease and desist committing violations of 2 U.S.C. § 434.

3. Respondent will file or amend, as appropriate, the reports referenced in Paragraph IV within 30 days.

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

1 has been violated, it may institute a civil action for relief in the United States District Court for
2 the District of Columbia.

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

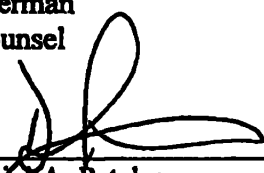
5 IX. Respondent shall have no more than 30 days from the date this agreement becomes
6 effective to comply with and implement the requirements contained in this agreement and to so
7 notify the Commission.

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

12 FOR THE COMMISSION:


13 Anthony Herman
14 General Counsel

15 BY:


16 Daniel A. Petalas
17 Associate General Counsel
18 for Enforcement

8/29/2013
Date

19 FOR THE RESPONDENT:


20 Frank Anderson
21 Treasurer, The Independence Caucus
22

7/17/2013
Date