



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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SENSITIVE

MEMORANDUM

November 5, 2008

TO: The Commission

THROUGH: Joseph F. Stoltz *[Signature]*
Acting Staff Director

FROM: John D. Gibson *[Signature]*
Chief Compliance Officer

Lynn M. Fraser *[Signature]*
Acting Director, ADR Office

SUBJECT: ADR 402 John Lewis for Congress and George W. Darden, Treasurer
Withdrawal and Re-Submission of Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Send a representative to a FEC seminar; develop a compliance manual for staff use; and pay a civil penalty of \$4,000 (amount in dispute \$520,606)

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 402 (RAD 07L-20). This case was activated by the ADR Office on July 5, 2007. RAD provided a supplement to the referral on March 19, 2008.

SUMMARY: In this case, the Reports Analysis Division (RAD) originally referred John Lewis for Congress and George W. Darden, Treasurer ("Respondents" or "Committee") for failing to disclose all financial activity on their 2006 12 Day Pre-Primary Report. In March 2008, following Respondents' voluntary internal audit resulting in the filing of amended reports, RAD referred the Committee for also failing to disclose all financial activity on its 2005 April Quarterly Report, 2006 October Quarterly Report, and 2006 30 Day Post-General Report.

Respondents contend that many of the revisions to financial reports were housekeeping changes, or duplicative as the figures were shown in another category, as opposed to not being disclosed at

all. In addition, Respondents contend they voluntarily conducted a thorough internal reconciliation and took other remedial steps to ensure future compliance.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of John Lewis for Congress and George W. Darden, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.