



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2009 JUN -3 A 9:01

SENSITIVE

June 2, 2009

MEMORANDUM

TO: The Commission

THROUGH: Robert A. Hickey
Staff Director

FROM: John D. Gibson
Chief Compliance Officer

Lynn M. Fraser
Acting Director, ADR Office

SUBJECT: ADR 489 Paul Sawyer for Congress and Col. Herbert P. Fritts, Treasurer
Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Work with Commission staff to terminate the reporting obligations of the Committee.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 489 (RAD 09L-10). This case was received by the ADR Office on March 25, 2009, and activated on April 3, 2009.

SUMMARY: In this case, the Reports Analysis Division (RAD) referred Paul Sawyer for Congress and Col. Herbert P. Fritts, Treasurer (Respondents or the Committee) for failing to disclose all financial activity on their 2008 April Quarterly Report. After filing numerous amended reports in an attempt to correct the record, Respondents disclosed additional receipts of \$93,810.50 and additional disbursements of \$136,910.10.

Respondents assert that this campaign was of very short duration, and staffed by volunteers. Respondents contend that when the errors were discovered, they immediately began to work with RAD, and then the Commission's Information Technology experts, until the reason the financial activity was not carrying forward on reports could be understood. As soon as the explanation for the errors was revealed, the Committee filed amended reports to correct the record.

Recommendation to Approve
Settlement Agreement
ADR 489 (RAD 09L-10)
Page 1

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RECOMMENDATIONS:

1. Approve the attached settlement agreement of Paul Sawyer for Congress and Col. Herbert P. Fritts, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.