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Federal Election Commission

Washington, DC 20463

Case Number: ADR 758

Source: RAD ISL-14

Case Name: Headrick for Congress

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 Mary M. Headrick representing Headrick for Congress and Sunny Jewel Munay, in her official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no pre-judicial 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 5 U.S.C. § 30109.

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

3. The Reports Analysis Division referred Respondents for failing to disclose all financial activity on their 2014 IZ Day Pre-General Report. The Committee filed the original 2014 IZ Day pre-General Report on October 22, 2014, followed by seven (7) Amended 2014 IZ Day pre-General Reports between December 13, 2014 and February 15, 2015. The Amended 2014 IZ Day Pre-General Reports resulted in the disclosure of additional disbursements totaling \$54,311.65.

4. Treasurers of political committees are required to report all financial activity, including all disbursements, pursuant to the FECA, 52 U.S.C. §§ 3010a(a)(1), 30104(b)(4), 11 C.F.R. §§ 104.1, 104.3(b)

5. Respondents contend that the omissions occurred due to an inadvertent reporting error based on incomplete financial data. The Committee would like to terminate its status as a political committee.

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Respondents, in an effort to resolve this matter, agree to certify the closure of the Committee's federal account per its request to do so. The Committee will work with Commission staff to terminate its political committee status and reporting obligations with the Commission, and continue reporting until such time as the Commission notifies the Committee that its reporting obligations have ceased.

Respondents acknowledge that a civil penalty would be appropriate under the circumstances of this matter, they, however, indicate that financial hardship prevents them from paying any civil penalty. The Committee submitted financial documentation in support of this claim, and amended all necessary reports. These submissions and representations are material representations, and attested to in the agreement. Due to the

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mitigating circumstances, which include the Committee's lack of financial resources, it is requested the Commission depart from the civil penalty that would be sought for the violation at issue, and assess no civil penalty. Respondents understand that if evidence is discovered indicating that the Committee's financial condition is not as stated, a civil penalty of up to \$4,200 shall be immediately due.

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.

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.

10. 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.

11. This Negotiated Settlement constitutes the entire agreement between the parties on ADR758 (RAD I5L-14), 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.

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FOR THE COMMISSION:

Lynn M. Fraser, Director  
Alternative Dispute Resolution Office

FOR THE RESPONDENTS:

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Representing Headrick for Congress and  
Sunny Jewel Murray, Treasurer

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/ /n" Signed

Date Signed

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