



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

SECRETARIAT

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MEMORANDUM

July 18, 2005

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silberman
Director, ADR Office

BY: Lynn M. Fraser
Assistant Director, ADR Office

SUBJECT: ADR 280 Women's Campaign Fund and Nancy Clack, Treasurer
Recommendation to Assign Case

SENSITIVE

On June 30, 2005, the ADR Office received RR 05L-31 to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case is appropriate for ADR and recommend that it be assigned to the ADR Office.

SUMMARY: RAD referred the Women's Campaign Fund and Nancy Clack, Treasurer after Respondents filed an amended 2004 October Quarterly Report on March 10, 2005 disclosing additional receipts aggregating \$51,586.04. In response to the RFAI, Respondents stated that their software was not compatible with the fundraising vendor's software, resulting in large amounts of financial data being entered by hand and increasing the possibilities of error.

Attached for the Commission's review is the ADR Case Analysis Report, along with copies of the EPS Rating and ADR Rating reports. The ADR Case Analysis Report includes an analysis of the case and a description of the issues that the ADR Office anticipates addressing if the case is assigned to ADR. In addition, the ADR Case Analysis Report has been reviewed by the Office of General Counsel, which concurs in the description of the case.

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If the Commission concurs in the recommendation, the above case description will be provided to Respondents as part of ADR Office's notification package sent to Respondents.

RECOMMENDATION:

1. Assign ADR 280/RR 05L-31 to the ADR Office.

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ADR CASE ANALYSIS REPORT

ADR Case: 280

Respondents:

Women's Campaign Fund
Nancy Clack, Treasurer

RAD Referral: 05L-31

Respondents' Rep.: Karl Sandstrom, Esq.

Date Forwarded to ADRO: 6/30/05

Committee Type: Qualified Non-Party

Date Reviewed by ADRO: 7/11/05

Committee Name: Women's Campaign Fund

District & State: N/A

Election Cycle: 2004

Summary of Referral: The Reports Analysis Division ("RAD") referred the Women's Campaign Fund and Nancy Clack, Treasurer ("Respondents" or the "Committee") after Respondents filed an amended 2004 October Quarterly Report on March 10, 2005 that disclosed additional receipts totaling \$51,586.04. The amended figures resulted in a 68.5% increase over the financial activity reported in the Committee's original 2004 October Quarterly Report.

Respondents' Reply to RAD: In response to a RFAI sent to the Committee, Respondents stated that they maintain several accounts out of which they conduct federal activities, and then they explained that the primary discrepancy is attributable to the high volume of small, unitemized contributions deposited into one of the federal accounts. The Committee's software, they noted, is not compatible with the fundraising vendor's software, which results in hand entry of the large volume of data. Respondents contend that they file their reports timely, consistent with what they believed was Commission advice, and follow with amended reports, if needed, after reconciliation of records.

Analysis: The statute and regulations require committees to file reports disclosing all contributions received during the reporting period.

Issues:

- Failure to file receipts 2 U.S.C. § 434(b)(2)(A), 11 C.F.R. §§ 104.3(a)(2)(i)(A), 104.3(a)(2)(i)(B)

Recommendation:

Assign to ADRO

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