



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

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SENSITIVE

MEMORANDUM

December 16, 2005

TO: The Commission

THROUGH: Robert J. Costa *RC*
Acting Staff Director

FROM: Allan D. Silberman *AS*
Director, ADR Office

BY: Lynn M. Fraser *LF*
Assistant Director, ADR Office

SUBJECT: ADR 305 New Hampshire Republican State Committee
and Robert Scott, Treasurer
Recommendation to Assign Case

On November 17, 2005, the ADR Office received RR 05L-62 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 New Hampshire Republican State Committee and Robert Scott, Treasurer ("Respondents" or the "Committee") for failing to file two (2) 24-Hour Notices to support three (3) independent expenditures totaling \$68,965. RAD stated that the Committee filed an amended 2004 30 Day Post-General Report that included a Schedule E disclosing the three independent expenditures which were made after the 20th day, but more than 24 hours before the 2004 General Election. RAD also indicated that Prior Notices listing the official filing dates for monthly filers during the 2004 calendar year were sent to the Committee on February 2, 2004 and August 27, 2004. The Prior Notices include a section titled 48-Hour and 24-Hour Reports on Independent Expenditures.

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

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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.

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 305/RR 05L-62 to the ADR Office.

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ADR CASE ANALYSIS REPORT

ADR Case: 305

Respondents:

New Hampshire Republican State Cttee.
Robert Scott, Treasurer

RAD Referral: 05L-62

Respondents' Rep.: Robert Scott

Date Forwarded to ADRO: 11/17/05

Committee Type: Party Committee

Date Reviewed by ADRO: 12/2/05

Committee Name: New Hampshire
Republican State Cttee.

District & State: NH

Election Won-Lost: N/A

Election Cycle: 2004

Summary of Referral: The Reports Analysis Division ("RAD") referred the New Hampshire Republican State Committee and Robert Scott, Treasurer ("Respondents" or the "Committee") for failing to file two (2) 24-Hour Notices to support three (3) independent expenditures totaling \$68,965. RAD stated that the Committee filed an amended 2004 30 Day Post-General Report that included a Schedule E disclosing the three independent expenditures which were made after the 20th day, but more than 24 hours before the 2004 General Election. RAD also indicated that Prior Notices listing the official filing dates for monthly filers during the 2004 calendar year were sent to the Committee on February 2, 2004 and August 27, 2004. The Prior Notices include a section titled 48-Hour and 24-Hour Reports on Independent Expenditures.

Respondents' Reply to RAD: In response to a request for further information about these independent expenditures sent to Respondents by RAD, Respondents stated the failure occurred due to a total lack of federal election experience for all staff. Respondents contend that they were not aware the disbursements were independent expenditures.

Recommendation:

Assign to ADRO

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