



THE FEDERAL ELECTION COMMISSION  
Washington, DC 20463

SECRETARIAT

2006 MAY 18 P 3:08

**SENSITIVE**

MEMORANDUM

May 18, 2006

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 Approve Settlement Agreement

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to **ADR 305 (RR 05L-62)**. This case was opened on November 17, 2005, and was assigned to the ADR Office on January 6, 2006.

**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 three independent expenditures, which were made after the 20<sup>th</sup> 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.

In response to a RFAI 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

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were independent expenditures for purposes of the FECA. In addition, Respondents contend they filed a second amended 2004 30 Day Post-General Report to correct one of the independent expenditure disclosures. The expenditure of \$10,264.76 was, in fact, for a general "vote Republican" billboard, and not in support of a specific candidate, as erroneously reported in the first amended 2004 30 Day Post-General Report.

**RECOMMENDATIONS:**

1. Approve the attached settlement agreement of the New Hampshire Republican State Committee and Robert Scott, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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