

REPORTS ANALYSIS REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION

DATE: April 5, 2006

ANALYST: Robin Kelly

- I. COMMITTEE: Lewis for Senate, Inc.  
C00412080  
Matthew Miller, Treasurer  
416 Holland Avenue  
Morgantown, WV 26501
- II. RELEVANT STATUTE: 2 U.S.C. §434(b)  
11 CFR §104.3  
11 CFR §104.3(b)

III. BACKGROUND:

**Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)**

Lewis for Senate, Inc. ("the Committee") filed an Amended 2005 July Quarterly Report disclosing \$50,124.56 in additional disbursements (Attachment 2).

On July 14, 2005, the Committee filed its original 2005 July Quarterly Report covering the period from April 1, 2005 to June 30, 2005. This report disclosed \$10,963.73 in disbursements on Line 17 (Operating Expenditures) of the Detailed Summary Page (Image 25020241274).

On September 22, 2005, the Committee filed an Amended 2005 July Quarterly Report covering the period from April 1, 2005 to June 30, 2005. The amended report disclosed \$61,088.29 in disbursements on Line 17 (Operating Expenditures) of the Detailed Summary Page (Image 25020371340).

On January 17, 2006, a Request for Additional Information ("RFAI") was sent to the Committee referencing the 2005 Amended July Quarterly Report, received on September 22, 2005. The RFAI asked, among other matters, for clarification regarding the substantial increase in disbursements that were not disclosed in the original filing (Image 26038950536).

27190270589

On February 17, 2006, the Committee's Treasurer, Matthew Miller contacted the Reports Analysis Division (RAD) Analyst. Mr. Miller stated that he was planning to respond to the RFAI via fax. The Analyst advised that he should also file a hard copy of the response with the Secretary of the Senate. Mr. Miller replied that he would respond to the RFAI as soon as possible (Attachment 3).

On February 27, 2006, the Committee filed an amendment to the July Quarterly Report covering the period from April 1, 2005 to June 30, 2005. The amendment was a letter responding to the January 17, 2006 RFAI. In the letter the Treasurer stated "The increased amount of activity reflected from the original July Quarterly to the Amended July Quarterly was the result of a delayed receipt of records by the Treasurer, and was corrected as the earliest possibility." (Image 26020150001)

On March 2, 2006, the RAD Analyst spoke to the Candidate, Hiram Lewis. Mr. Lewis said that there were a few large payments made to vendors for direct mail that were omitted from the originally filed July Quarterly Report. He stated that the Treasurer was unaware of these payments when the original report was filed. The Candidate explained that he is in the National Guard and had been deployed to assist in the clean-up of Hurricane Katrina. The records for these payments had been left on the Candidate's desk during this time (Attachment 3).

On March 6, 2006, the Committee filed an Amended July Quarterly Report covering the period from April 1, 2005 to June 30, 2005. The amended report again disclosed \$61,088.29 in disbursements on Line 17 (Operating Expenditures) of the Detailed Summary Page (Image 26020150835). The amendment also contained a letter from the Treasurer which reiterated that the increase in disbursements "was the result of a delayed receipt of records". He also added that "The records of the actual individual approved disbursements were not made immediately available to the Treasurer, and it was decided that filing all the accurate information available at the time, on time, was the best course of action. As the situation was resolved at the headquarters and with the vendors, an amended report was filed." (Image 26020150805)

No further communication has been received from the Committee regarding this matter.

27190270590