



Federal Election Commission
Washington, DC 20463

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MEMORANDUM

May 31, 2007 **SENSITIVE**

TO: The Commission

THROUGH: Patrina M. Clark *mc*
Staff Director

FROM: Margarita Maisonet *mm*
Chief Compliance Officer

Deborah Ruth Kant *DRK*
Director, ADR Office

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

SUBJECT: ADR 392 People for English and Edward Smith, Treasurer,
Recommendation to Assign

On May 16, 2007, the ADR Office received RAD 07L-17 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. The ADR Office Memorandum includes a statement of the issues, a summary and analysis of the case, and a Recommendation. In addition, the Office of General Counsel reviewed the ADR Memorandum, and concurs in the description of the case.

ADR Case: ADR 392

Source No. RAD 07L-17

Respondents:
People for English
Edward Smith, Treasurer

Respondents' Rep.:
Edward Smith

Complainant: RAD

Committee Name: People for English

Date Referral Filed: 5/16/07

Committee Type: Authorized

Date Forwarded to ADRO: 5/16/07

District #/or State: PA, 3rd C.D.

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Issues:

- ◆ Reporting receipts 2 U.S.C. §§ 434(a)(1), 434(b)(2), 11 C.F.R. §§ 104.1, 104.3(a)

Summary and Analysis of Case: The FECA requires treasurers of political committees disclose all financial activity, including all receipts. RAD referred People for English and Edward Smith, Treasurer (“Respondents” or the “Committee”) for failing to file a complete disclosure of financial activity on their 2006 12 Day Pre-General Report. Respondents filed the original 2006 12 Day Pre-General Report on October 26, 2006. Respondents filed an amended 2006 12 Day Pre-General Report on December 6, 2006 that disclosed additional receipts totaling \$54,775. This is an election sensitive report, and an incumbent campaign with more than a decade of experience running a campaign committee.

In response to a RFAI sent to the Committee, Respondents contend that the omissions occurred due to medical emergency involving the Committee’s compliance officer, and the inexperience of staff who attempted to fill in. Apparently the staff inexperience led to data being entered with incorrect coding, and thus some data was not collected for the 2006 12 Day Pre-General Report. Respondents assert that they hired a compliance organization to review all records for the period of the compliance officer’s absence to ensure all records are accurate.

RECOMMENDATION:

1. **Assign ADR 392/RAD 07L-17 to the ADR Office.**

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