

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: December 9, 2010

ANALYST: Robin Kelly

- I. COMMITTEE: Westmoreland for Congress
C00387126
Ann B. Hand, Treasurer
P.O. Box 458
Sharpsburg, GA 30277
- II. RELEVANT STATUTES: 2 U.S.C. § 434(b)(4)
11 CFR § 104.3(b)

III. BACKGROUND:

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

Westmoreland for Congress ("the Committee") amended its 2010 12 Day Pre-Primary Report to disclose increased disbursements totaling \$88,000.00 (Attachment 2).

On July 8, 2010, the Committee filed the original 2010 12 Day Pre-Primary Report covering the period April 1, 2010 through June 30, 2010 (Image 10930874143). The report disclosed \$89,873.77 in disbursements on Line 17 (Operating Expenditures), \$32,000.00 in disbursements on Line 18 (Transfers to Other Authorized Committees), and \$16,250.00 in disbursements on Line 21 (Other Disbursements) of the Detailed Summary Page (Image 10930874146; Attachment 2).

On September 16, 2010, the Committee filed an Amended 2010 12 Day Pre-Primary Report covering the period from April 1, 2010 through June 30, 2010 (Image 10931267316). The report disclosed \$89,873.77 in disbursements on Line 17, \$0.00 in disbursements on Line 18, and \$136,250.00 in disbursements on Line 21 of the Detailed Summary Page (Image 10931267319; Attachment 2).

On October 5, 2010, a Request for Additional Information ("RFAI") was sent to the Committee referencing the Amended 2010 12 Day Pre-Primary Report, received

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September 16, 2010. The RFAI requested clarification regarding the substantial increase in disbursements that were not disclosed in the original filing (Image 10030432261).

On November 9, 2010, the Committee filed a Miscellaneous Electronic Submission (FEC Form 99) in response to the RFAI. The FEC Form 99 stated, in part:

“[The] original report was unfortunately incomplete... The total of [the omitted] disbursements, \$88,000.00, should explain the difference between the originally filed report and the amended report” (Image 10991822844).

On November 22, 2010, the Reports Analysis Division (“RAD”) Analyst spoke with Ann Hand, the Committee’s Treasurer. Ms. Hand stated that she was no longer involved with the Committee. The Analyst informed Ms. Hand that she was still listed as the Treasurer on the Committee’s Statement of Organization (FEC Form I) and advised her to have the Committee file an amended Form 1 to disclose the name of the new Treasurer. Ms. Hand said she would call the Committee and then inform the Analyst of the new Committee contact (Attachment 3).

On November 23, 2010, the RAD Analyst called Ms. Hand to inform her that the Committee may be referred for further Commission action because of the substantial amount of disbursements omitted from the original 2010 12 Day Pre-Primary Report. Ms. Hand mentioned that she was still waiting to hear from someone regarding the status of the Treasurer position. She said she would get back with the Analyst as soon as possible (Attachment 3).

On November 24, 2010, the Committee filed an Amended FEC Form 1. The Amended Form 1 disclosed Ms. Hand as the Treasurer (Image 10991874422).

To date, no further communication has been received from the Committee regarding this matter.

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