



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2011 MAR -3 P 12: 02

**SENSITIVE**

**MEMORANDUM**

March 3, 2011

11190291346

TO: The Commission

THROUGH: Alec Palmer  
Acting Staff Director *AP*

FROM: Patricia Carmona *PC*  
Chief Compliance Officer

Lynn M. Fraser *LMF*  
Director, ADR Office

BY: Krista J. Roche *KJR*  
Assistant Director, ADR Office

SUBJECT: ADR 555 Westmoreland for Congress and Ann B. Hand, Treasurer,  
Recommendation to Approve Negotiated Settlement

RESOLUTION TERMS: Develop and implement financial procedures consistent with best practices; send a committee representative to a FEC conference; circulate a memo to all campaign staff and volunteers regarding the procedure for reporting receipts and disbursements to campaign headquarters; draft and implement a compliance manual; and pay a civil penalty of \$1,500.

Attached for your review is a signed negotiated ADR Negotiated Settlement pertaining to ADR 555 (RAD 10L-14). The ADR Office received this referral on December 9, 2010.

**SUMMARY:** The Reports Analysis Division (RAD) referred Westmoreland for Congress and Ann B. Hand, Treasurer, (Respondents or the Committee) for failing to disclose all financial activity on their election sensitive 2010 12 Day Pre-Primary Report, originally filed on July 8, 2010. On September 16, 2010, the Committee filed an amended 2010 12 Day Pre-Primary Report disclosing additional disbursements of \$88,000.00, a 63.7% increase over the originally reported activity. To explain the discrepancy the Committee responded to a Request for Additional

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Information from RAD by filing a Miscellaneous Electronic Submission which stated that the "original report was unfortunately incomplete." Respondents contend that there was an oversight in not communicating the issuance of three checks from an office other than campaign headquarters.

**RECOMMENDATIONS:**

1. Approve the attached Negotiated Settlement of Westmoreland for Congress and Ann B. Hand, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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