



FEDERAL ELECTION COMMISSION
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SENSITIVE

MEMORANDUM

January 9, 2012

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

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 571 Bartlett for Congress and Robert Perry, Treasurer,
Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Develop and certify implementation of a compliance operations manual which includes internal controls consistent with the Commission's Best Practices for Committee Management (2009 update) and a process to track receipt of, and response to, communications with the Commission; send a representative to an FEC conference; designate a compliance specialist; and pay a civil penalty of \$5,000.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to **ADR 571 (RAD 11L-11)**. The ADR Office received this referral on April 29, 2011.

SUMMARY: The Reports Analysis Division referred Bartlett for Congress and Robert Perry, Treasurer, (Respondents or the Committee) for cumulative errors during the 2010 election cycle which disclosed the Committee was not in substantial compliance with the FECA. A political committee may be referred if, after an internal review of reports filed by

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the committee, the Commission determines the reports do not meet the threshold requirements for substantial compliance with the FECA. 2 U.S.C. § 437(g).

Respondents contend that the excessive contribution issue, as well as the mathematical discrepancy issues, were caused, in part, by errors inputting data into an outside vendor's electronic filing software. While the Committee did not respond timely to all of the FEC's Requests for Additional Information, the Committee states it mistakenly believed amending its reports was the proper response, and, therefore, the Committee's reports were amended accordingly, in lieu of filing a Miscellaneous Form 99 response. Respondents subsequently revised their procedures to ensure adequate responses going forward.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of Bartlett for Congress and Robert Perry, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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