



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 1, 2012

Brett Hess, Treasurer  
Bartlett for Congress  
295B Bucheimer Rd  
Frederick, MD 21701

Re: ADR 571 (RAD 11L-11)  
Bartlett for Congress and Robert Perry, Treasurer

Dear Mr. Hess:

Enclosed is the signed copy of the agreement resolving the referral initiated on April 29, 2011 by the Federal Election Commission ("FEC/Commission") involving Bartlett for Congress and Robert Perry, Treasurer ("Respondents"). The agreement for ADR 571 (RAD 11L-11) was approved by the Commission on February 28, 2012 – the effective date of the agreement.

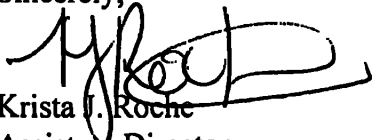
Note the specific time frames for compliance in paragraph 6 of the agreement. Please forward to this office, a statement certifying Respondent's compliance with the terms listed in the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6, and contain the ADR caption and case number.

As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities regarding violations of federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

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Sincerely,



Krista J. Roche  
Assistant Director  
Alternative Dispute Resolution Office

Enclosure: Agreement

cc: Gwen Holmes, Finance and Accounting Office

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Federal Election Commission  
Washington, DC 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
FINANCE OFFICE

2012 JAN 10 A 9 31

Case Number: ADR 571  
Source: RAD 11L-11  
Case Name: Bartlett for Congress

### NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Reports Analysis Division (RAD) referred the Respondents for the cumulative nature of deficiencies on reports filed with the Commission in the 2010 election cycle which disclosed the Committee was not in substantial compliance with the FECA. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Commission entered into negotiations with Brett Hess representing the Bartlett for Congress Committee and Robert Perry, in his official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondents voluntarily enter into this agreement with the Commission.
3. RAD referred Respondents for a series of reporting errors and other FECA violations during the 2009-2010 election cycle. The Committee's errors included, among other items: excessive and/or prohibited contributions, mathematical discrepancies, missing schedules, and inadequate contributor information.
4. A political committee may be referred if, after an internal review of reports filed by 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).
5. Respondents contend that the excessive contribution issues 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 to timely to all of the FEC's Requests for Additional Information, the Committee states

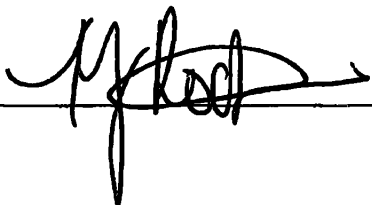
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it believed amending its reports was the proper response, and, therefore, the Committee's reports were amended accordingly in lieu of filing a Miscellaneous Form 99 response.

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) develop and implement a compliance operations manual which includes internal controls consistent with the Commission's Internal Controls Policy (2007) and a process to track receipt of, and response to, communications with the Commission within sixty (60) days of the effective date of this agreement; (b) send a representative to an FEC Conference within twelve (12) months of the effective date of this agreement; (c) designate a compliance specialist within thirty (30) days of the effective date of this agreement; and (d) pay a civil penalty of \$5,000 within thirty (30) days of the effective date of this agreement.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 571 (RAD 11L-11), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Krista J. Roche, Assistant Director  
Alternative Dispute Resolution Office



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2/28/12  
Date Signed

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FOR THE RESPONDENTS:



Brett Hess  
Representing Bartlett for Congress Committee  
and Robert Perry, Treasurer

1/6/12

Date Signed

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