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**SENSITIVE**

Federal Election Commission  
Washington, DC 20463

**MEMORANDUM**

October 29, 2013

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Lynn M. Fraser *LMF*  
Director, ADR Office

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

SUBJECT: ADR 661 Rethink PAC and David N. Martin, Treasurer, Recommendation  
to Approve Settlement Agreement

RESOLUTION TERMS: Perform an annual internal audit and reconciliation for the  
next two years; attend an FEC conference; and pay a civil  
penalty of \$4,500.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to  
ADR 661 (13L-16). The ADR Office received this referral on September 17, 2013.

**SUMMARY:** The Office of General Counsel (OGC) transferred a matter involving  
Rethink PAC and David N. Martin, Treasurer (Respondents or the Committee),  
which was initially referred to OGC by the Reports Analysis Division. A review of  
reports indicated that the Committee failed to file one 24-Hour Report to support  
one independent expenditure totaling \$59,000.08. That expenditure was disclosed  
on November 26, 2012.

The Committee contends that the omission was discovered during a routine review  
of disbursements conducted in preparation for filing the 2012 Post-General Report.  
On November 26, 2013, the Committee filed the missing 24-Hour Notice to ensure

Recommendation to Approve  
Settlement Agreement  
ADR 661 (RR13L-16)  
Page 1

13190293603

the accuracy of the public record. The Committee contends that staff reviewed procedures to ensure that future independent expenditures are reported in a timely manner.

**RECOMMENDATIONS:**

1. Approve the attached settlement agreement of Rethink PAC and David N. Martin, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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