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**SENSITIVE**

**MEMORANDUM**

September 15, 2009

TO: The Commission

THROUGH: Robert A. Hickey *PH for RH*  
Staff Director

FROM: John D. Gibson *JDG*  
Chief Compliance Officer

Lynn M. Fraser *LMF*  
Acting Director, ADR Office

SUBJECT: ADR 514 Doug Heckman For Congress and Jennifer C. Pinson-Harvey,  
Treasurer, Informational Memo on Assignment

The Reports Analysis Division (RAD) referred RAD 09L-32 for processing on September 10, 2009, and the ADR Office designated the referral as ADR 514. We include a summary and discussion of the referral for your information. We anticipate initiating communication with Respondents in ADR 514 on September 17, 2009. Please contact Lynn Fraser if you have any questions or concerns before then.

**Summary of Case:** RAD referred Doug Heckman For Congress and Jennifer C. Pinson-Harvey, Treasurer (Respondents or the Committee) failing to disclose all financial activity on their 2008 12 Day Pre-General Report. The Committee filed a second amended 2008 12 Day Pre-General Report on May 21, 2009 that disclosed additional disbursements of \$50,672.30. In response to an inquiry from the Commission, Respondents contend that it was an inadvertent omission, which they found while conducting a reconciliation of financial activity.

**Discussion:** ADR can provide an opportunity to utilize corrective measures to encourage future compliance with the FECA. Moreover, the flexibility and informality of the ADR process allows the parties, through joint problem-solving, to fashion specific corrective measures tailored to Respondents, their resources, and the issues involved in the case. Respondents are often more willing to develop creative compliance measures in the ADR process in exchange for a reduced civil penalty. A copy of the referral is in the voting ballots folder.

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