



Federal Election Commission
Washington, DC 20463

MEMORANDUM

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silberman
Director, ADR Office

BY: Lynn M. Fraser
Assistant Director, ADR Office

SUBJECT: Recommendation to Close the File on ADR 093

DATE: June 3, 2003

In accordance with the revisions to the ADR program procedures approved by the Commission on March 3, 2003, the Alternative Dispute Resolution Office (ADRO) recommends that ADR 093/RR 02-04 be closed and no further resources be expended on this matter. This matter was assigned to the ADRO on January 13, 2002. Following difficulty locating respondents, the ADRO finally spoke with the Treasurer. He communicated to the ADRO that he filed the required Schedule C-1 for the loan reported on the 2001 Year End Report and clarified that the loans from the candidate were from the candidate's personal funds. Thus, he feels there is nothing more to do as he feels the issues are resolved. Respondents did commit to submitting the matter to the ADR Program on April 30, 2003. Respondents have not responded to oral or written communications since sending the commitment.

ADR 093/RR 02-04: RAD referred the Jeff Ballenger for Congress Committee because it failed to provide a signed Schedule C-1 for one (1) loan reported as from a lending institution totaling \$100,000, and failed to clarify the original source of one (1) loan reported as from the candidate totaling \$150,000 during the 2002 election cycle. Initially, Respondents failed to respond to RFAI's, but finally submitted amended 2001 Year End and 2002 April Quarterly reports in August, 2002. The amended reports failed to include a signed C-1 from the lending institution for the \$100,000 loan and failed to clarify the funds utilized for the loan by the candidate as personal. Respondents filed the signed copy of Schedule C-1 on December 11, 2002 and hand wrote on the Schedule C that the loan from the candidate was all from personal funds.

Recommendation: We recommend that ADR 093/RR 02-04 be closed and the appropriate letters sent.

23.19.025.2128