



Federal Election Commission
Washington, DC 20463

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2003 APR -3 A 9 28

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 116

DATE: March 31, 2003

SENSITIVE

In accordance with the revisions to the ADR program procedures approved by the Commission on March 3, 2003, ADR 116/MUR 5319 is attached for the Commission's review. The case was forwarded to the ADR Office (ADRO) by OGC on March 5, 2003 to review and determine its appropriateness for ADR processing. After a review of the file and the issues raised, the ADRO recommends that the case be closed and no further resources be expended on this matter. Following the new ADR procedures referenced above, this matter will be closed by ADRO if the Commission approves the recommendation in this memorandum. The Office of General Counsel (OGC) concurs in the description of this matter, and also concurs that it will not be returned to OGC for further action.

ADR 116/MUR 5319: Complainant alleges that Isaac Byrd, at attorney in Jackson, MS, purchased championship rings for the twenty (20) members of the Lanier High School basketball team. The rings had a value of approximately \$500 each, and they were allegedly provided to the students with the provision that the team members would distribute campaign literature for Congressman Thompson. The complaint further alleges that the students were informed that if they refused to distribute the campaign literature, their parents would have to pay for the ring. The Complainant alleges that the purchase of the rings was the equivalent to a \$10,000 in-kind contribution, which was both excessive and not reported by Congressman Thompson's committee. Respondents deny any knowledge of any expenditure by Respondent Byrd that was intended to benefit the committee. Respondents contend that even if the alleged actions by Respondent Byrd occurred, the amount spent purchasing the rings would represent an independent expenditure, and not a campaign contribution. Respondent Byrd did not file a separate response to the allegations.

Attached for the Commission's review is the ADR *Case Analysis Report* (CAR) on ADR 116, along with copies of the EPS Rating and ADR Rating reports.

Recommendation: We recommend that ADR 116/MUR 5319 be closed and the appropriate letters sent.