




FEDERAL ELECTION COMMISSION  
Washington, DC 20463

December 15, 2003

**MEMORANDUM**

TO: The Commission

THROUGH: James A. Pehrkon  
Staff Director

FROM: Allan D. Silberman   
Director, ADR Office

SUBJ: Case for ADR Activation

On December 5, 2003 the ADR Office received from OGC a referral from the Comptroller of the Currency, Pre-MUR 414, to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case, **ADR 148**, is appropriate for ADR and recommend that it be assigned to the ADR Office.

**ADR 148/Pre MUR 414:** The Office of the Comptroller of the Currency determined that Superior Savings of New England, N.A. made political contributions to campaigns in Georgia, New York, and New Jersey in 2001 and 2002. The contributions reportedly totaled approximately \$4,000. Neither the locations of the campaigns nor the names of the candidates who received the contributions are identified. In addition, there is no indication as to whether the contributions were made to federal or non federal candidates. There is no record of contributions or previous federal election activity by Superior Savings in the FEC files.

Attached for the Commission's review is the *ADR Case Analysis Report* on **ADR 148** along with copies of the EPS Rating and ADR Rating Sheets. The *Case Analysis Report* includes an analysis of the case and a description of the issues that the ADR Office (ADRO) anticipates addressing if the case is assigned to ADR. In addition, the Report has been reviewed by OGC, which concurs in the description of the case.

**Recommendation:** We recommend that **ADR 148/PMUR 414** be assigned to ADR Office for processing

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# ADR CASE ANALYSIS REPORT

ADR Case # 148

Respondents: Superior Savings of  
New England, N.A.

Pre-MUR: 414

Respondents Rep:

Committee Type: N/A

Committees' Name: N/A

OGC Case Open Date: 8-4-03

District #/or State: N/A

Date Forwarded to ADRO: 12-5-03

Election Cycle: 2002

Date Reviewed ADRO: 12-9-03

Complainant: Comptroller of the Currency

**Summary of Matter:** The Office of the Comptroller of the Currency (OCC), which referred this matter to the Commission, determined that Superior Savings of New England made political contributions to campaigns in Georgia, New York and New Jersey in 2001 and 2002. There is no indication whether these contributions were made to federal or non federal candidates or to whom the contributions were made. OCC reported that the contributions totaled approximately \$4,000.

**Alleged Violations:** 2 U.S.C. § 441b and 11 C.F.R. § 114.2(a)

**Analysis:** The prohibition regarding bank contributions to election campaigns is clear. Clarification, however, is needed concerning what campaigns received contributions and whether the contributions were made to federal or non-federal campaigns. If the contributions were made to federal candidates there is a need to determine if the candidates reported the contributions. Clarification also will be needed as to whether the contributions were made in the name of the bank or in the name of an officer or official of the bank.

**Issues:** Contributions or expenditures by national banks, corporations or labor organizations, 2 U.S.C. § 441b and 11 C.F.R. § 114.2(a)

**Recommendation:** Assign to ADR X