




FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 30, 2004

MEMORANDUM

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silberman 
Director, ADR Office

SUBJ: Case for ADR Activation

On August 6, 2004, the ADR Office received from RAD a referral to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case, **ADR 185**, is appropriate for ADR and recommend that it be assigned to the ADR Office.

ADR 185/RAD 04L-09: RAD determined that Respondents – i.e., Jesse Jackson for Congress and Carol Stanley-Robbins, Treasurer – underestimated their financial activity on their 2004 Twelve Day Pre-Primary Report when they failed to disclose \$67,879.80 in disbursements that was later reported on an amended Twelve Day Pre-Primary Report. Respondents initial Twelve Day Pre-Primary Report disclosed disbursements of \$500. Two Requests For Additional Information (RFAI) requested clarification regarding the additional disbursement activity and itemization of credit card disbursements. The Committee responded to the two RFAIs and confirmed the accuracy of disbursement activity and the amended Reports. The Committee also advised of problems in recording and transcribing data that led to errors in reports file with the Commission.

Attached for the Commission's review is the *ADR Case Analysis Report* on **ADR 185** along with a copy of the ADR Rating Sheet. 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.

If the Commission concurs in the recommendation to assign the matter to ADRO, the above case description will be provided to Respondents as part of ADRO's notification package sent to Respondents.

Recommendation: We recommend that **ADR 185/RAD 04L-09** be assigned to ADR Office for processing.

24-19-025-4251

ADR CASE ANALYSIS REPORT

ADR Case: # 185

Respondents: Jesse Jackson Jr. for Congress

RAD: # 04L-09

Carol Stanley-Robbins, Treas.

Date Forwarded to ADRO: 8-6-04

Respondent's Rep: Carol Stanley-Robbins

Date Reviewed by ADRO: 8-17-04

Committee Type: Authorized Committee

Election Cycle: 2004

Committee Name: Jesse Jackson for Congress

Tier Level: 2004

District #/or State: IL 2nd C.D.

Election – N/A

Complainant: RAD Referral

Summary of Referral: RAD determined that Respondents understated their financial activity on their 2004 Twelve Day Pre-Primary Report when they failed to disclose \$67,879.80 in disbursements that were later reported on an amended Twelve Day Pre-Primary Report. Respondents initial Twelve Day Pre-Primary Report disclosed disbursements of \$500. Two Requests For Additional Information (RFAI) requested clarification regarding the additional disbursement activity and itemization of credit card disbursements.

Respondents' Reply: Respondents' amended Twelve Day Pre-Primary Report listed total disbursements at \$68,379.80. The Committee responded to the two RFAIs that requested clarification and itemization of credit card disbursements and confirmed the accuracy of disbursement activity and the amended Reports. Committee also advised of problems in recording and transcribing data that led to errors in reports filed with the Commission.

Alleged Violations: 2 U.S.C. §§ 434(b)(4), (5) and (6) and 11 C.F.R. § 104.3(b)

Issues:

- Requirement to report disbursements – 2 U.S.C. §§ 434(b)(4), (5), (6) and 11 C.F.R. § 104.3(b)

Analysis: The issues in this case relate to Respondents' under-reporting of disbursements and their failure to provide a detailed listing on Schedule B of the names, addresses, dates, amounts and purposes of the expenditures of persons who received disbursements in the aggregate amount or value of \$200 or more. The two RFAIs identified the information needed to complete the Committee's reporting obligation regarding aggregate disbursements of \$200 or more. There can be little misunderstanding of what was required of Respondents to comply with the requirements of the FECA. Respondents belatedly acknowledged the mistakes in their Reports when they noted the problems in retrieving and transcribing data for their FEC reports.

Related FEC Experience/Guidance: RAD's analysis of Respondents' reports identifies the information missing from the reports and the schedule omitted from the Committee's filings. RAD's referral also identifies what needs to be done in order for the Committee to be in compliance with the requirements of the Act

Recommendation: Assign to ADR

24 19 025 4253