



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

SECRETARIAT
2005 JUL -7 A 10: 32

SENSITIVE

MEMORANDUM

July 6, 2005

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silbermann
Director, ADR Office

BY: Lynn M. Fraser
Assistant Director, ADR Office

SUBJECT: ADR 197 LeSueur for Congress '04 and Eddie "Edie" Ingrum, Treasurer
ADR 239 LeSueur for Congress '04 and Eddie "Edie" Ingrum, Treasurer
ADR 240 LeSueur for Congress '04, Eddie "Edie" Ingrum, Treasurer, Lamar
Outdoor Advertising and Lamar Advertising Company
Recommendation to approve Consolidated Settlement Agreement for ADR 197,
ADR 239, ADR 240 and Dismiss Remaining Respondents

Attached for your review is a consolidated signed negotiated ADR Settlement Agreement pertaining to LeSueur for Congress '04 and Eddie "Edie" Ingrum, Treasurer (the "Respondents" or the "Committee). These matters were received by the Commission, respectively, on March 15, 2004, October 14, 2004 and November 5, 2004 and assigned to the ADR Office on November 29, 2004 and May 5, 2005 (2).

SUMMARY: The three complaints, filed by Friends of Bennie Thompson, allege that Respondents began running television advertisements on or about January 7, 2004 without the required oral disclaimer spoken by the candidate. Another complaint alleges that invitations mailed to voters for a fundraising event failed to include a disclaimer disclosing who authorized the invitation, and also failed to provide information about the non-tax deductible status of any contribution. The same complaint goes on to allege that the invitations failed to request contributor information including name, address and employer. In addition, the third complaint alleged that Respondents had at least two billboards that failed to contain any disclaimer as to who authorized and paid for the advertisements.

Respondents acknowledge that inadvertent violations of the FECA occurred when disclaimers were omitted from political advertising. The Committee contends that disclaimers were added to print materials and billboards after they became aware of the error and when it was possible to do so. In addition, all subsequent television and radio communications included the required disclaimers.

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Lamar Outdoor Advertising and Lamar Advertising Company (the "Lamar Respondents") contend that the Committee provided the communication information and approved the final art product before the contract was paid and the billboards placed. The Lamar Respondents further contend that although the LeSueur Respondents never referred to the need for a disclaimer, the required disclaimer was added by the Lamar Respondents as soon as it was brought to their attention by the Complainant's counsel.

RECOMMENDATIONS:

1. Approve the attached consolidated Settlement Agreement for LeSueur for Congress '04 and Eddie "Edie" Ingrum Treasurer resolving ADR 197, ADR 239 and ADR 240.
2. Dismiss the complaint as it pertains to Lamar Outdoor Advertising and Lamar Advertising Company.
3. Approve the appropriate letters.
4. Close the file on these matters.

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

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DATE & TIME TRANSMITTED: Thursday, July 07, 2005 4:00

RETURN TO COMMISSION SECRETARY BY: Thursday, July 14, 2005 4:00

COMMISSIONER: MASON, McDONALD, SMITH, THOMAS, TONER, WEINTRAUB

SUBJECT: **ADR 197 LeSueur for Congress '04 and Eddie "Edie" Ingram, Treasurer**
ADR 239 LeSueur for Congress '04 and Eddie "Edie" Ingram, Treasurer
ADR 240 LeSueur for Congress '04 and Eddie "Edie" Ingram, Treasurer, Lamar Outdoor Advertising and Lamar Advertising Company. Memorandum from The Director, ADR dated July 6, 2005.

- () I approve the recommendation(s)
- () I object to the recommendation(s)
- () I am recused from voting

COMMENTS: _____

DATE: _____

SIGNATURE: _____

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the Commission Secretary. Please return ballot no later than date and time shown above.

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