



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2005 JUN 24 A 9:15

MEMORANDUM

June 23, 2005

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: ADR 264 Brady for Congress and W.R. Eissler, Treasurer
Recommendation to Assign Case

SENSITIVE

On June 10, 2005, the ADR Office received RAD Referral 05L-23 to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case is appropriate for ADR and recommend that it be assigned to the ADR Office.

SUMMARY: Brady for Congress and W.R. Eissler, Treasurer ("Respondents" or the "Committee") were referred due to a failure to provide adequate contributor identification for 80 of 192 contributions from individuals that required itemization during the 2003-2004 election cycle. These omissions represented forty-two (42%) percent of the individual contributions that required itemization during the election cycle. Respondents filed two amended reports during the election cycle, but neither report provided the contributor identification information required. RAD sent the Committee three RFAI's during the 2004 election cycle, and left two telephone messages requesting the omitted information and/or the best efforts procedures of the Committee.

Attached for the Commission's review is the ADR Case Analysis Report. The ADR Case Analysis Report includes an analysis of the case and a description of the issues that the ADR Office anticipates addressing if the case is assigned to ADR. In addition,

26190263926

the ADR Case Analysis Report has been reviewed by the Office of General Counsel, which concurs in the description of the case.

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

RECOMMENDATION):

1. **Assign ADR 264/RR 05L-23 to the ADR Office.**

26190263927

ADR CASE ANALYSIS REPORT

ADR Case: 264

Respondents:

Brady for Congress

W.R. Eissler, Treasurer

RAD Referral: 05L-23

Respondents' Rep.: W.R. Eissler

Date Forwarded to ADRO: 6/10/05

Committee Type: Authorized

Date Reviewed by ADRO: 6/20/05

Committee Name: Brady for Congress

District & State: 8th C.D. TX

Election Cycle: 2004

Summary of Referral: Brady for Congress and W.R. Eissler, Treasurer ("Respondents" or the "Committee") were referred due to a failure to provide adequate contributor identification for 80 of 192 contributions from individuals that required itemization during the 2003-2004 election cycle. These omissions represented forty-two (42%) percent of the individual contributions that required itemization during the election cycle. The Committee filed two amended reports during the election cycle, but neither report provided the contributor identification information. RAD sent the Committee three RFAI's during the 2004 election cycle, and left two telephone messages requesting the omitted information and/or the best efforts procedures of the Committee.

Respondents' Reply to RAD: Respondents failed to respond to the RFAI's or telephone messages from RAD.

Issues:

- Reporting contributor identification 2 U.S.C. § 434(b)(3)(A), 11 C.F.R. §§ 100.12, 104.3(a)(4)(i)
- Best efforts 11 C.F.R. § 104.7(b)

Recommendation: ASSIGN to ADRO

26180263026