



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

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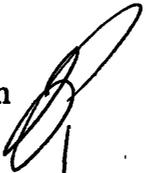
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SENSITIVE

MEMORANDUM

September 13, 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 293 Thelma Drake for Congress and Robert J. Catron, Treasurer
Recommendation to Assign Case

On August 22, 2004, the ADR Office received RR 05L-43 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: RAD referred Thelma Drake for Congress and Robert J. Catron, Treasurer ("Respondents" or the "Committee") for failing to provide the required contributor information for 171 of 429 of the itemized contributions received from individuals during the 2003-2004 election cycle. The lack of adequate contributor identification on the 2004 October Quarterly, 2004 12 Day Pre-General and 2004 30 Day Post General reports resulted in inadequate identification of 40% of itemized contributions from the Committee. In response to RFAs sent to the Committee, Respondents sent amended reports. Those amended reports, however, did not remedy the omissions.

Attached for the Commission's review is the ADR Case Analysis Report, along with copies of the EPS Rating and ADR Rating reports. 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, the ADR Case

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ADR CASE ANALYSIS REPORT

ADR Case: 293

RAD Referral: 05L-43

Date Forwarded to ADRO: 8/22/05

Date Reviewed by ADRO: 8/30/05

Respondents:

Thelma Drake for Congress

Robert J. Catron, Treasurer

Respondents' Rep.: Robert J. Catron

Committee Type: Authorized

Committee Name: Thelma Drake for Congress

District & State: 2nd C.D. VA

Won/Lost: Won General

Election Cycle: 2004

Summary of Referral: RAD referred Thelma Drake for Congress and Robert J. Catron, Treasurer ("Respondents" or the "Committee") for failing to provide the required contributor information for 171 of 429 of the itemized contributions received from individuals during the 2003-2004 election cycle. The lack of adequate contributor identification on the 2004 October Quarterly, 2004 12 Day Pre-General and 2004 30 Day Post General reports resulted in inadequate identification of 40% of itemized contributions from the Committee.

Respondents' Reply to RAD: In response to RFAs sent to the Committee, Respondents sent amended reports. Those amended reports, however, did not remedy the omissions, and one amended report actually increased the percentage of itemized contributors without adequate identification. On May 2, 2005, Respondents filed a miscellaneous electronic text message outlining what the Committee usually does to satisfy "best efforts" requirements, but failed to supply documentation of those efforts as to the 2004 October Quarterly, 12 Day Pre-General and 30 Day Post-General reports.

Issue:

- Identification of contributors 2 U.S.C. § 434(b)(3), 11 C.F.R. §§ 100.12, 104.3(a)(4)(i), 104.7(b)

Recommendation:

Assign to ADRO

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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.

RECOMMENDATIONS:

1. Assign ADR 293/RR 05L-43 to the ADR Office.

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