



THE FEDERAL ELECTION COMMISSION  
Washington, DC 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2006 MAR 13 A 11: 22

**SENSITIVE**

MEMORANDUM

March 8, 2006

TO: The Commission

THROUGH: Robert J. Costa *RC*  
Acting Staff Director

FROM: Allan D. Silberman *AS*  
Director, ADR Office

BY: Lynn M. Fraser *LMF*  
Assistant Director, ADR Office

SUBJECT: ADR 316 North Carolina Democratic Party - Federal and  
Ralph Campbell, Jr., Treasurer,  
Recommendation to Assign Case

On February 21, 2006, the ADR Office received RR 06L-04 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 the North Carolina Democratic Party - Federal and Ralph Campbell, Jr. ("Respondents" or the "Committee") for failing to file seven (7) 24-Hour Notices to support seven (7) independent expenditures totaling \$59,488 made after the 20<sup>th</sup> day, but more than 24 hours, before the 2004 General election. On December 2, 2004, the Committee filed an original 2004 30 Day Post-General Report which included a Schedule E disclosing two (2) independent expenditures totaling \$41,500 made on behalf of one (1) federal candidate. On December 15, 2004, Respondents filed an Amended 2004 30 Day Post-General Report which included a Schedule E and a memo Schedule E disclosing eight (8) independent expenditures totaling \$63,460 made on behalf on one (1) federal candidate. Based on the information and expenditures disclosed on the amended report, RAD concluded the Committee was required to file seven (7) 24-Hour Notices totaling \$59,488. Two Prior Notices had been sent to the Respondents, on February 2, 2004, and August 27, 2004, each of

26190264699

which included a section titled *48- and 24-Hour Reports on Independent Expenditures*. A RFAI was sent to the Respondents on February 11, 2005, referencing the Amended 2004 30 Day Post-General Report. In response to the RFAI, the Committee noted an electronic memo submitted on December 15, 2004, that stated Respondents noticed that, due to oversight, they made independent expenditures on behalf of Kerry-Edwards that exceeded the threshold for filing 24-hour reports.

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 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 316/RR 06L-04** to the ADR Office.

26190264700

## ADR CASE ANALYSIS REPORT

**ADR Case:** 316

**Respondents:**

North Carolina Democratic Party – Federal  
Ralph Campbell, Jr.

**RAD Referral:** 06L-04

**Respondents' Rep.:** Ralph Campbell, Jr.

**Date Forwarded to ADRO:** 2/21/06

**Committee Type:** Party

**Date Reviewed by ADRO:** 3/2/06

**Committee Name:**

North Carolina Democratic Party – Federal

**District & State:** NC

**Election Won-Lost:** N/A

**Election Cycle:** 2004

**Summary of Referral:** RAD referred the North Carolina Democratic Party – Federal and Ralph Campbell, Jr. (“Respondents” or the “Committee”) for failing to file seven (7) 24-Hour Notices to support seven (7) independent expenditures totaling \$59,488 made after the 20<sup>th</sup> day, but more than 24 hours, before the 2004 General election. On December 2, 2004, the Committee filed an original 2004 30 Day Post-General Report which included a Schedule E disclosing two (2) independent expenditures totaling \$41,500 made on behalf of one (1) federal candidate. On December 15, 2004, Respondents filed an Amended 2004 30 Day Post-General Report which included a Schedule E and a memo Schedule E disclosing eight (8) independent expenditures totaling \$63,460 made on behalf on one (1) federal candidate. Based on the information and expenditures disclosed on the amended report, RAD concluded the Committee was required to file seven (7) 24-Hour Notices totaling \$59,488. Two Prior Notices had been sent to the Respondents, on February 2, 2004, and August 27, 2004, each of which included a section titled *48- and 24-Hour Reports on Independent Expenditures*. A RFAI was sent to the Respondents on February 11, 2005, referencing the Amended 2004 30 Day Post-General Report.

**Respondents' Reply to RAD:** In response to the RFAI, the Committee noted an electronic memo it submitted on December 15, 2004, that stated Respondents noticed that, due to oversight, they made independent expenditures on behalf of Kerry-Edwards that exceeded the threshold for filing 24-hour reports.

**Recommendation:**

Assign to ADRO

26190264701