



Federal Election Commission
Washington, DC 20463

SENSITIVE

MEMORANDUM

February 22, 2007

TO: The Commission

THROUGH: *MHC*
Patrina M. Clark
Staff Director

FROM: Margarita Maisonet
MW
Chief Compliance Officer

Deborah Kant *SK*
Director, ADR Office

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

SUBJECT: ADR 365 and ADR 371 Mejias for Congress and Michael Norman, Treasurer, Recommendation to Assign and Consolidate

On November 9, 2006, the ADR Office received MUR 5801, and on December 28, 2006, the ADR Office received MUR 5807, to review and determine if they are appropriate for ADR processing. Based on that review, we determined that the cases are appropriate for ADR, and recommend that these two matters be consolidated and assigned to the ADR Office. The ADR Office Recommendation 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 Office of General Counsel reviewed the ADR Recommendation, and concurs in the description of the cases.

ADR Case:

1. ADR 365
2. ADR 371

Source No.

1. MUR 5801
2. MUR 5807

Respondents:

Mejias for Congress
Michael Norman, Treasurer
David Mejias

Respondents' Rep.:

Michael Norman

28190275788

Complainant:
William Thomas
Eugene A. Turner

Committee Name:
Mejias for Congress

Date Complaints Filed:
1. 8/28/06
2. 9/14/06

Committee Type:
Authorized

Date Forwarded to ADRO:
1. 11/9/06
2. 12/28/06

District #/or State:
NY 3rd C.D.

EPS Rating:

Election - Won/Lost:
General - Lost

Tier Level:

Election Cycle:
2006

Summary of Case: In ADR 371 (MUR 5807), the Complainant alleges that based on disclosures in the Committee's 2006 Pre-Primary Report: (1) Respondents' reporting contained many of the same deficiencies noted in ADR 365 above with respect to partnership attribution, verification of contributor status, and designation. In addition, Complainant alleges Respondents accepted contributions from non-federal officials and committees not registered with the FEC.

Respondents contend they made "best efforts" to obtain the occupation and employer information from individual contributors. Respondents further contend they made good faith efforts to obtain the information as to corporate or partnership status for the contributions in question by sending out an "entity form" so that a contributor could clarify its status if it was unclear. Respondents asserted that as the Committee obtained additional information, they filed amended reports disclosing the information. Respondents argue that the Campaign Guide for Authorized Committees, and AO 1999-4, allows them to accept contributions from committees or entities that are not registered with the FEC. Respondents contend that any errors were inadvertent.

RECOMMENDATION:

1. **Assign ADR 365/MUR 5801 and ADR 371/MUR 5807 to the ADR Office.**