



Federal Election Commission  
Washington, DC 20463

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**MEMORANDUM**

June 28, 2007

TO: The Commission

THROUGH: Patrina M. Clark *me*  
Staff Director

FROM: John D. Gibson *JDG*  
Acting Chief Compliance Officer

Deborah Ruth Kant *DRK*  
Director, ADR Office

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

**SENSITIVE**

SUBJECT: ADR 402 John Lewis for Congress and Lillian Lewis, Treasurer,  
Recommendation to Assign

On June 8, 2007, the ADR Office received RAD 07L-20 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. The ADR Office Memorandum includes a statement of the issues, a summary and analysis of the case, and a Recommendation. In addition, the Office of General Counsel reviewed the ADR Memorandum, and concurs in the description of the case.

ADR Case: ADR 402

Source No. RAD 07L-20

Respondents:  
John Lewis for Congress  
Lillian Lewis, Treasurer

Respondents' Rep.:  
Lillian Lewis

Complainant: RAD

Committee Name: John Lewis for Congress

Date Referral Filed: 6/8/07

Committee Type: Authorized

Date Forwarded to ADRO: 6/8/07

District #/or State: GA 5<sup>th</sup> C.D.

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**Election - Won/Lost: Primary - Won**

**Election Cycle: 2006**

**Issues:**

- ◆ Reporting receipts 2 U.S.C. §§ 434(a)(1), 434(b)(2), 11 C.F.R. §§ 104.1, 104.3(a)

**Summary and Analysis of Case:** Treasurers of political committees are required to report all financial activity, including all receipts, pursuant to the FECA. RAD referred John Lewis for Congress and Lillian Lewis, Treasurer (“Respondents” or the “Committee”) for failing to disclose all financial activity on their 2006 12 Day Pre-Primary Report. Respondents filed their original 2006 12 Day Pre-Primary Report on July 7, 2006. Respondents filed amended 2006 12 Day Pre-Primary Reports on August 7, 2006 and October 15, 2006. Both amended reports reflected an increase in receipts of \$58,475. Respondents also filed two subsequent amended 2006 12 Day Pre-Primary Reports on March 15, 2007 and May 1, 2007, but the amount of relevant receipts did not increase further, and, in fact, decreased by approximately ten percent.<sup>1</sup>

Respondents filed two miscellaneous text messages on March 15, 2007 and May 2, 2007. In the first message, the Committee simply stated that the increase was due to a clerical error. In the second message, the Committee expanded the explanation to include the facts that there had been a change in the system of accounting for receipts and disbursements, and the Treasurer had been ill at the same time. In addition, Respondents stated that they put new procedures in place to ensure that this situation does not reoccur.

The ADR Office notes that this was an election sensitive report, and the candidate was running unopposed.

**RECOMMENDATION:**

1. **Assign ADR 402/RAD 07L-20 to the ADR Office.**

<sup>1</sup> RAD noted that the Committee also filed a 2006 July Quarterly Report on July 6, 2006 with a coverage period of April 1, 2006 to June 30, 2006 (two days more than the 2006 12 Day Pre-Primary Report). The 2006 July Quarterly Report reflected the same amount of relevant receipts as the original 2006 12 Day Pre-Primary Report. The Committee filed no amended 2006 July Quarterly Reports to disclose the additional receipts.

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