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Federal Election Commission
Washington, DC 20463

MEMORANDUM

June 17, 2015

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Lynn M. Fraser *LMF*
Director, ADR Office

BY: Krista J. Roche *KJR*
Assistant Director, ADR Office

SUBJECT: ADR 751 & ADR 753 Friends of Edwin W. Edwards, Rachelle Marks,
Treasurer, and Trina Edwards, Assistant Treasurer
Recommendation to Dismiss

The Office of General Counsel (OGC) referred MUR 6833 and P-MUR 573, and the ADR Office designated the matters as ADR 751 and ADR 753, respectively. The ADR Office recommends the Commission exercise prosecutorial discretion and dismiss the matters. *Heckler v. Chaney* 470 U.S. 821 (1985). We include a summary and discussion of the matters for your information.

Summary and Analysis of Case: On May 19, 2014, Bryan Jeansonne filed a complaint against Friends of Edwin W. Edwards, Rachelle Marks, Treasurer, and Trina Edwards, Assistant Treasurer and wife of the candidate (Respondents or the Committee) for failing to include a "paid for" disclaimer and applicable contribution limits on a fundraiser invitation that was distributed by the candidate's wife via Facebook.

In response to the allegations, the Committee filed a *sua sponte* submission on May 20, 2014, indicating that supporters outside the campaign hosted a fundraiser and prepared and distributed the invitation. The invitation included the contribution limits but failed to include a "paid for" disclaimer. The Committee states that the invitation was publicized

on Facebook by Mrs. Edwards and the campaign, but the screenshot of the invitation cropped out the contribution limits. Respondents assert that when they became aware of the violations, they removed the posts and posted notice of the error on the campaign's website and Facebook page. The Committee also indicates that it implemented new procedures to ensure errors of this nature do not occur in the future, including routing all proposed invitations (both internally and externally prepared) through the accounting firm to confirm compliance with federal laws prior to dissemination.

Due to the prompt actions taken by the Respondents to remove the posts, the lack of cost associated with posting on Facebook, the remedial measures undertaken to ensure errors of this nature did not occur during the remainder of the campaign, and the lack of Committee activity since the candidate lost the December 6, 2014, runoff election, the ADR Office recommends the Commission exercise prosecutorial discretion and dismiss the matter.

RECOMMENDATION:

1. Dismiss ADR 751 (MUR 6833) and ADR 753 (P-MUR 573), and close the files.
2. Approve the appropriate letters.