



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1438

DATE SCANNED 9/15/06

SCANNER NO. 2

SCAN OPERATOR SES

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 30, 2006

MEMORANDUM

TO: THE COMMISSION

THROUGH: ROBERT J. COSTA  
ACTING STAFF DIRECTOR

FROM: JOHN D. GIBSON *[Signature]*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: REASON TO BELIEVE RECOMMENDATION -  
2005 YEAR END REPORT  
FOR THE ADMINISTRATIVE FINES PROGRAM

Attached is a list of political committees and their treasurers who failed to file, or failed to timely file, the 2005 Year End Report in accordance with 2 U.S.C. 434(a). On December 28, 2005, Prior Notice was sent to the political committees and their treasurers, informing them that the Year End Report was due on January 31, 2006. The report should have covered the period ending on December 31, 2005.

The committees listed in the attached RTB Circulation Report either failed to file the report or filed the report more than five (5) days after the due date. In accordance with the schedule of civil money penalties located within 11 CFR §111.43, these committees should be assessed the civil money penalties highlighted on the report attached.

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**Recommendation**

- (1) Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
- (2) Send the appropriate mailgrams.

FEDERAL ELECTION COMMISSION 2005-2006 2 1  
Reason to Believe Circulation Report  
2005 YEAR-END

AF #	COMMITTEE NAME	TREASURER	RECEIPT DATE	COMMITTEE ID	COMMITTEE ID	RECEIPT DATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF01442	GARY DODDS FOR CONGRESS	FRANK G MEANOR JR	02/10/2006	C00413997	C00413997	02/10/2006	\$74,607	\$111,382	NH	DODDS, GARY B	No	0	\$1,050
AF01438	AMERICAN GAMING ASSOCIATION POLITICAL ACTION COMMITTEE	JUDY PATTERSON	02/22/2006	C00309146	C00309146	02/22/2006	\$97,900	\$144,650	DC		No	0	\$2,600
AF01439	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)	IRA LAHEL	02/13/2006	C00204388	C00204388	02/13/2006	\$95,688	\$108,405	NY		No	0	\$1,700

FEDERAL ELECTION COMMISSION 2005-2006  
Reason to Believe Circulated on Report 22  
2005 YEAR-END

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
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**MEMORANDUM**

TO: OFFICE OF THE COMMISSION SECRETARY  
FROM: STAFF DIRECTOR  
DATE: March 30, 2006  
SUBJECT: Administrative Fine – Reason to Believe for the 2005 Year End Report

**COMMISSION MEETINGS**

The attached document is submitted for:

- Open Meeting \_\_\_\_\_ (insert date)
- Executive Session \_\_\_\_\_ (insert date)

**CIRCULATION**

**DISTRIBUTION**

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> 24-Hour Tally Vote           <ul style="list-style-type: none"> <li><input type="checkbox"/> Sensitive</li> <li><input type="checkbox"/> Non-Sensitive</li> </ul> </li> <li><input checked="" type="checkbox"/> 72-Hour Tally Vote           <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Sensitive</li> <li><input type="checkbox"/> Non-Sensitive</li> </ul> </li> <li><input type="checkbox"/> 24-Hour No Objection           <ul style="list-style-type: none"> <li><input type="checkbox"/> Sensitive</li> <li><input type="checkbox"/> Non-Sensitive</li> <li><input type="checkbox"/> Personnel</li> </ul> </li> <li><input type="checkbox"/> Information           <ul style="list-style-type: none"> <li><input type="checkbox"/> Sensitive</li> <li><input type="checkbox"/> Non-Sensitive</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Commissioners, OGC (3), Staff Director, Public Disclosure &amp; Press Office</li> <li><input checked="" type="checkbox"/> Compliance</li> <li><input type="checkbox"/> Audit Matters</li> <li><input type="checkbox"/> Non-Filers</li> <li><input type="checkbox"/> No-Objection Personnel</li> <li><input type="checkbox"/> 6 Commissioners Only</li> <li><input type="checkbox"/> Miscellaneous</li> <li><input type="checkbox"/> Other (see distribution below)</li> </ul> <hr/> <hr/> <hr/> <ul style="list-style-type: none"> <li><input type="checkbox"/> Open Session Agenda Documents           <ul style="list-style-type: none"> <li><input type="checkbox"/> Release Immediately</li> <li><input type="checkbox"/> Hold Until _____</li> </ul> </li> </ul> |
|---|---|

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2005 )  
Year End Report for the Administrative )  
Fines Program: )  
GARY DODDS FOR CONGRESS, and ) AF# 1442  
FRANK G MEANOR JR as treasurer; )

AMERICAN GAMING ASSOCIATION ) AF# 1438  
POLITICAL ACTION COMMITTEE, and )  
JUDY PATTERSON as treasurer; )  
BI-COUNTY POLITICAL ACTION ) AF# 1439  
COMMITTEE (FKA SUFFOLK PAC), and )  
IRA LAMEL as treasurer; )

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on April 04, 2006 the Commission took the following actions on the Reason To Believe Recommendation - 2005 Year End Report for the Administrative Fines Program as recommended in the Reports Analysis Division's Memorandum dated March 30, 2006, on the following committees:

AF#1442 Decided by a vote of 6-0 to: (1) find reason to believe that GARY DODDS FOR CONGRESS, and FRANK G MEANOR JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1438 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN GAMING ASSOCIATION POLITICAL ACTION COMMITTEE, and JUDY PATTERSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

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(2) send the appropriate mailgram. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1439 Decided by a vote of 6-0 to: (1) find reason to believe that BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC), and IRA LAMEL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

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Attest:

April 4, 2006  
Date

Mary W. Dove  
Mary W. Dove  
Secretary of the Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 6, 2006

Judy Patterson  
American Gaming Association Political Action Committee  
555 13th Street Nw Suite 1010 East  
Washington, DC 20004

C00309146  
AF#: 1438

Dear Judy Patterson:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year End Report of Receipts and Disbursements every calendar year. This report, covering the period through December 31st, shall be filed no later than January 31st. 2 U.S.C. 434(a). You were previously notified of the due date for this report. Records at the Federal Election Commission ("FEC") indicate that this report was filed on 2/22/2006, 22 days late.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 4/4/2006, the FEC found that there is reason to believe ("RTB") that American Gaming Association Political Action Committee and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before January 31st. Based on the FEC's schedules of civil money penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at the RTB stage is \$2600. It is due by 5/14/2006 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$ 97900  
Number of Days Late: 22  
Number of Previous Civil Money Penalties Assessed: 0

**To Pay the Calculated Civil Money Penalty**

To pay the calculated civil money penalty, send the enclosed remittance and your payment to the FEC at the address on page 3. Upon receipt of your payment, the FEC will send you a final determination letter.

**To Challenge the RTB Finding and/or Calculated Civil Money Penalty**

To challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found on page one, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received by 5/14/2006. Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty. The FEC will only consider challenges that are based on a factual error, miscalculation of the calculated civil money penalty by the FEC, or the

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existence of extraordinary circumstances that persisted for more than 48 hours that were beyond your control and prevented you from filing the report in a timely manner. Your response must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. Examples of circumstances that will not be considered extraordinary include, but are not limited to, negligence, problems with vendors or contractors, staff illness, computer failures and similar circumstances. 11 C.F.R. 111.35(b)(1)(iii) and (4).

Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of your right to present such argument in a petition to the district court under 2 U.S.C. 437g. 11 C.F.R. 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

**If You Do Not Pay The Calculated Civil Money Penalty or Submit a Challenge**


If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that American Gaming Association Political Action Committee and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982("DCA")as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. 111.45.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

Additional information on the FEC's administrative fine program, including the final regulations, is located at the FEC's website at [www.FEC.gov](http://www.FEC.gov). If you have questions regarding the payment of the calculated civil money penalty, please contact Elizabeth Goings in the Reports Analysis Division at our toll free number (800)424-9530 (at the prompt press 5) or (202)694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,



Michael E. Toner  
Chairman

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at RTB is \$2600 for the 2005 Year-End Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by 5/14/2006. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

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FOR: American Gaming Association Political Action Committee

FEC ID#: C00309146

AF#: 1438

PAYMENT DUE DATE: 5/14/2006

PAYMENT AMOUNT DUE: \$ 2600

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 31, 2006

MEMORANDUM

TO: THE COMMISSION

THROUGH: ROBERT J. COSTA  
ACTING STAFF DIRECTOR

FROM: JOHN D. GIBSON *JD*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: WITHDRAWAL AND RESUBMISSION OF FINAL  
DETERMINATION RECOMMENDATION - 2005 YEAR END  
REPORT FOR THE ADMINISTRATIVE FINES PROGRAM

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2005 Year End Report. The first list represents those committees that have paid the civil money penalty while the second list represents those that have not paid. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

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In accordance with 11 CFR 111.34 and 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

**RAD Recommendation**

- (1) Make final determinations that the political committees and their treasurers on the attached lists violated 2 U.S.C. 434(a) and assess the civil money penalties so indicated.
  
- (2) Send the appropriate letters.

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PAID

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	REPORT TYPE
	CANDIDATE NAME	LEVEL OF ACTIVITY			PREVIOUS VIOLATIONS
	RECEIPT DATE	CIVIL MONEY PENALTY		DATE PAID	AMOUNT PAID

AF1438	AMERICAN GAMING ASSOCIATION POLITICAL ACTION COMMITTEE	C00309146	JUDY PATTERSON	DC	2005 YEAR-END
		\$97,900			
		\$2,600		04/26/2006	\$2,600

AF1439	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)	C00204388	IRA LAMEL	NY	2005 YEAR-END
		\$95,688			
		\$1,700		05/02/2006	\$1,700

FEDERAL ELECTION COMMISSION 20052006 34  
FINAL DETERMINATION CIRCULATION REPORT 34

AF # COMMITTEE NAME COMMITTEE ID STATE REPORT TYPE  
CANDIDATE NAME LEVEL OF ACTIVITY PREVIOUS VIOLATIONS  
RECEIPT DATE DAYS LATE DAYS SINCE RTB FINAL CIVIL MONEY PENALTY  
RTB DATE RTB PENALTY DAYS SINCE RTB

AF1442 GARY DODDS FOR CONGRESS NH  
DODDS, GARY B C00413997 FRANK G MEANOR JR 2005 YEAR-END  
02/10/2006 10 \$74,607 0 \$1,050  
04/04/2006 \$1,050 57 \$1,050

NOT PAID



**MEMORANDUM**

TO: OFFICE OF THE COMMISSION SECRETARY  
FROM: STAFF DIRECTOR  
DATE: May 31, 2006  
SUBJECT: Administrative Fine Program – Withdrawal and Resubmission of the Final Determination Recommendation for the 2005 Year End Report.

**COMMISSION MEETINGS**

The attached document is submitted for:

- Open Meeting \_\_\_\_\_  
(insert date)
- Executive Session \_\_\_\_\_  
(insert date)

**CIRCULATION**

- 24-Hour Tally Vote
  - Sensitive
  - Non-Sensitive
- 72-Hour Tally Vote
  - Sensitive
  - Non-Sensitive
- 24-Hour No Objection
  - Sensitive
  - Non-Sensitive
  - Personnel
- Information
  - Sensitive
  - Non-Sensitive

**DISTRIBUTION**

- Commissioners, OGC (3), Staff Director, Public Disclosure & Press Office
- Compliance
- Audit Matters
- Non-Filers
- No-Objection Personnel
- 6 Commissioners Only
- Miscellaneous
- Other (see distribution below)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Open Session Agenda Documents
  - Release Immediately
  - Hold Until \_\_\_\_\_

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Administrative Fines Final Determination ) AF 1438  
Recommendation for the 2005 Year End )  
Report: American Gaming Association )  
Political Action Committee and Judy )  
Patterson, as Treasurer. )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on June 06, 2006, the Commission decided by a vote of 6-0 to take the following actions in AF 1438:

1. Make a final determination in AF 1438 that the American Gaming Association Political Action Committee and Judy Patterson, as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,600.
2. Send the appropriate letter.

Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 6, 2006  
Date

Mary W. Dove  
Mary W. Dove  
Secretary of the Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 14, 2006

Judy Patterson, Treasurer  
American Gaming Association Political Ac  
555 13th Street Nw Suite 1010 East  
Washington, DC 20004

C00309146  
AF#: 1438

Dear Judy Patterson,

On 4/4/2006, the Federal Election Commission ("FEC") found reason to believe ("RTB") that American Gaming Association Political Ac and you, as treasurer, violated 2 U.S.C. 434(a) for filing late or failing to file the 2005 Year-End Report. By mailgram dated 4/6/2006 the FEC sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$2600 in accordance with the schedule of penalties at 11 C.F.R. 111.43.

On 4/26/2006 the FEC received payment of your civil money penalty calculated at the RTB stage. Therefore, the FEC made a final determination on 6/6/2006 that you, as treasurer, and American Gaming Association Political Ac violated 2 U.S.C. 434(a), assessed a civil money penalty in the amount of \$2600 in accordance with 11 C.F.R. 111.43, and voted to close the file.

The confidentiality provisions at 2 U.S.C. 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding this matter, please contact Shara Coutourier on our toll free number (800)424-9530 (at the prompt press 5) or (202)694-1130.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. Toner".

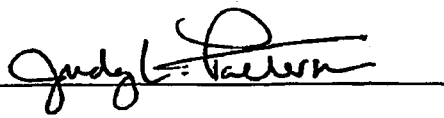
Michael E. Toner  
Chairman

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QUALITY IS OUR PRIORITY FOR LOCKBOX 2182  
SEQ# 001 \$ 000260000 BA# 1 04-26-06 20 4

**usbancorp.**  
The Sun Trust Company

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<b>American Gaming Association</b> [REDACTED]	SunTrust Bank 1445 New York Avenue, N.W. Washington, DC 20005-2108 65-270/550	<b>10781</b> Date : 04/19/2006
Pay To The Order of Federal Election Commission	***Two Thousand Six Hundred dollars***	\$**2,600.00**
Federal Election Commission PO Box 979058 St. Louis, MO 63917-9000		
[REDACTED]		

Library only as listed on label



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1438

DATE SCANNED 9/15/06

SCANNER NO. 2

SCAN OPERATOR SES

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