



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1442

DATE SCANNED 9/15/06

SCANNER NO. 2

SCAN OPERATOR SES

25092591052



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 *JDG*  
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  
Reason to Believe Circulation Report  
2005 YEAR-END

AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
	COMMITTEE ID						
	RECEIPT DATE	DAYS LATE					



**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**

- 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

- 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 )  
)  
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

Frank G. Meanor Jr.  
Gary Dodds For Congress  
P.O. Box 744  
Portsmouth, NH 03801

C00413997

AF#: 1442

Dear Frank G. Meanor Jr.:

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 2/10/2006, 10 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 Gary Dodds For Congress 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 \$1050. It is due by 5/14/2006 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$ 74607  
Number of Days Late: 10  
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**

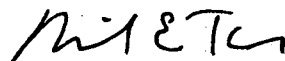
If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Gary Dodds For Congress and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

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 \$1050 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: Gary Dodds For Congress

FEC ID#: C00413997

AF#: 1442

PAYMENT DUE DATE: 5/14/2006

PAYMENT AMOUNT DUE: \$ 1050

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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 *gd*  
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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FINAL DETERMINATION CIRCULATION REPORT  
 PAID

AF #	COMMITTEE NAME	CANDIDATE NAME	RECEIPT DATE	REASON TO BELIEVE DATE	DAYS LATE	COMMITTEE ID	TREASURER	STATE	DATE PAID	PREVIOUS VIOLATIONS	REPORT TYPE	AMOUNT PAID
AF1438	AMERICAN GAMING ASSOCIATION POLITICAL ACTION COMMITTEE		02/22/2006		22	C00309146	JUDY PATTERSON	DC	04/26/2006	0	2005 YEAR-END	\$2,600
			04/04/2006			\$2,600						
AF1439	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)		02/13/2006		13	C00204388	IRA LAMEL	NY	05/02/2006	0	2005 YEAR-END	\$1,700
			04/04/2006			\$95,688						
						\$1,700						

FEDERAL ELECTION COMMISSION 2006-100678  
FINAL DETERMINATION CIRCULATION REPORT

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

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

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**

**DISTRIBUTION**

- 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

- 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 )  
Recommendation for the 2005 Year End )  
Report.: )  
GARY DODDS FOR CONGRESS, and ) AF# 1442  
FRANK G MEANOR JR as treasurer; )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on June 05, 2006 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the 2005 Year End Report. as recommended in the Reports Analysis Division's Memorandum dated May 31, 2006, on the following committees:

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

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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

Frank G Meanor Jr, Treasurer  
Gary Dodds For Congress  
300 Sagamore Road  
Rye, NH 03870

C00413997  
AF# 1442

Dear Frank G Meanor Jr,

On 4/4/2006, the Federal Election Commission ("FEC") found reason to believe ("RTB") that Gary Dodds For Congress and you, as treasurer, violated 2 U.S.C. 434(a) for failing to timely 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 1050 in accordance with the schedule of penalties at 11 C.F.R. 111.43. Within 40 days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or your written response within the time permitted. Therefore, the FEC made a final determination on 6/6/2006 that you, as treasurer, and Gary Dodds For Congress violated 2 U.S.C. 434(a) and assessed a civil money penalty in the amount of \$1050 in accordance with 11 C.F.R. 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$74607  
Number of Previous Violations: 0 Number of Days Late: 10

#### **To Pay the Civil Money Penalty**

To pay the civil money penalty, send the enclosed form and your payment to the address on page 3 within 30 days of receipt of this letter.

#### **If You Do Not Pay the 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 ("DCIA"), 31 U.S.C. 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court – see below), the FEC will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of its transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 18% of the civil money penalty for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail,

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charges a fee of 18% of the civil money penalty for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will transfer the debt to a private collection agency ("PCA"). If the debt is referred to a PCA, the Treasury and PCA collect a fee of 28% of the civil money penalty amount which will be added to the amount of the civil money penalty. If the debt remains unpaid, Treasury may recommend that the FEC refer the matter to the Department of Justice for litigation.

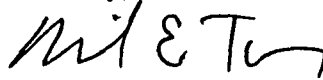
**If You Choose to Appeal the Final Determination or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondent's right to present such argument in a petition to the district court under 2 U.S.C. 437g. 11 C.F.R. 111.38.

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 the payment of the civil money penalty, please contact Shara Coutourier at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800)424-9530 (at the prompt, press 5) or (202)694-1130.

Sincerely,



Michael E. Toner  
Chairman

-----  
**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the civil money penalty is \$1050 for the 2005 Year-End Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

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

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

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

The form and payment are due within 30 days of receipt of this 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 the 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: Gary Dodds For Congress

FEC ID: C00413997

AF#: 1442

PAYMENT AMOUNT DUE: \$1050

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FOR: Gary Dodds For Congress

FEC ID#: C00413997

AF#: 1442

PAYMENT DUE DATE: 5/14/2006

PAYMENT AMOUNT DUE: \$ 1050

QUALITY IS OUR PRIORITY FOR LOCKBOX 2182  
SEQ# 001 \$ 0000105000 BA# 1 06-22-06 20 3

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**usbancorp.**  
The Star Service Company

**GARY DODDS FOR CONGRESS**

54-7  
114  
9241994072  
DATE 05/15/06 209

PAY TO THE ORDER OF Federal Election Commission \$ 1050.00  
One thousand fifty DOLLARS

**TD Banknorth**  
New Hampshire

MEMO [REDACTED]

AMOUNT GUARANTEED TO BE \$ 1050.00  
US BANK OF ST. LOUIS, MO. BA



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1442

DATE SCANNED

9/15/06

SCANNER NO.

2

SCAN OPERATOR

SES

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