

Silberman



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Wednesday, July 27, 2005 4:00

BALLOT DEADLINE: Monday, August 01, 2005 4:00

COMMISSIONER: MASON, McDONALD, SMITH, THOMAS, TONER, WEINTRAUB

SUBJECT: **ADR 277/RR 05L-13 – Arab American Leadership Council PAC and James Joseph Zogby, Treasurer. Recommendation to Assign Case. Memorandum from the Director, ADR Office dated July 26, 2005.**

() I approve the recommendation(s)

() I object to the recommendation(s)

() I am recused from voting.

COMMENTS: _____

DATE: _____

SIGNATURE: _____

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the Commission Secretary. Please return ballot no later than date and time shown above.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

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THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

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COMMISSION
SECRETARIAT

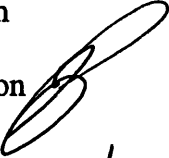
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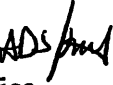
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
MEMORANDUM

July 26, 2005

TO: The Commission

THROUGH: James A. Pehrkon 
Staff Director

FROM: Allan D. Silberman 
Director, ADR Office

BY: Lynn M. Frase 
Assistant Director, ADR Office

SUBJECT: ADR 277 Arab American Leadership Council PAC and James Joseph
Zogby, Treasurer
Recommendation to Assign Case

On June 30, 2005, the ADR Office received RR 05L-13 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.

SUMMARY: RAD referred the Arab American Leadership Council, Inc. and James Joseph Zogby, Treasurer ("Respondents" or the "Committee") for failing to file a 2002 30 Day Post-General Report and 2002 Year End Report. Additionally, based upon itemized disbursements reported on the 2002 Year End Report, filed February 10, 2005, Respondents should also have filed a 12 Day Pre-General Report. Respondents filed a 2002 Year End Report on February 10, 2005, but made no remarks or comments. Respondents did not file the 2002 30 Day Post-General Report, nor the 12 Day Pre-General Report.

Attached for the Commission's review is the ADR Case Analysis Report, along with copies of the EPS Rating and ADR Rating reports. The ADR Case Analysis Report 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 ADR Case

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Analysis Report has been reviewed by the Office of General Counsel, which concurs in the description of the case.

If the Commission concurs in the recommendation, the above case description will be provided to Respondents as part of ADR Office's notification package sent to Respondents.

RECOMMENDATION:

1. **Assign ADR 277/RR 05L-13 to the ADR Office.**

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ADR CASE ANALYSIS REPORT

ADR Case: 277

RAD Referral: 05L-13

Date Forwarded to ADRO: 6/30/05

Date Reviewed by ADRO: 7/18/05

Respondents:

Arab American Leadership Council, Inc.
James Joseph Zogby, Treasurer

Respondents' Rep.: James Joseph Zogby

Committee Type: Qualified Non-Party

Committee Name:

Arab American Leadership Council, Inc.

District & State: N/A

Election Cycle: 2002

Summary of Referral: RAD referred the Arab American Leadership Council, Inc. and James Joseph Zogby, Treasurer ("Respondents" or the "Committee") for failing to file a 2002 30 Day Post-General Report and 2002 Year End Report. Additionally, based upon itemized disbursements reported on the 2002 Year End Report, filed February 10, 2005, Respondents should also have filed a 12 Day Pre-General Report.

Respondents' Reply to RAD: Respondents filed a 2002 Year End Report on February 10, 2005, but made no remarks or comments. Respondents did not file the 2002 30 Day Post-General Report, nor the 12 Day Pre-General Report.

Analysis: The FECA and the implementing regulations clearly outline the reporting requirements for political committees, and when the reports are to be filed. RAD sent Respondents, on September 30, 2002, a General Election Report Notice that detailed what reports must be filed and what dates each report would cover. The General Election Report Notice reiterated what was shown on the Commission website and in the Campaign Guide for Nonconnected Committees (2002). In addition, RAD sent "Failure to File" notices to the Committee for the 2002 30 Day Post-General Report and the 2002 Year End Report on December 23, 2002 and February 21, 2003 respectively.

Issues:

- Failure to file reports 2 U.S.C. § 434(a), 11 C.F.R. § 104.5(c)

Recommendation:
Assign to ADRO

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