



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

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SENSITIVE

MEMORANDUM

November 22, 2005

TO: The Commission

THROUGH: Robert J Costa 
Acting Staff Director

FROM: Allan D. Silberman 
Director, ADR Office

BY: Lynn M. Fraser 
Assistant Director, ADR Office

SUBJECT: ADR 302 International Brotherhood of Electrical Workers
Local 98 Committee on Political Education and
John Dougherty, Treasurer
Recommendation to Assign Case

On October 31, 2005, the ADR Office received RR 05L-60 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 International Brotherhood of Electrical Workers Local 98 Committee on Political Education and John Dougherty, Treasurer ("Respondents" or the "Committee") for failing to file one 48-Hour Notice in support of an independent expenditure totaling \$68,284 disclosed on the 2004 12 Day Pre-General Report. In addition, the Committee failed to file one 24-Hour Notice to support three independent expenditures totaling \$56,088.97 disclosed on an Amended 2004 30 Day Post General Report. RAD confirmed that a prior notice listing official filing dates for quarterly filers during the 2004 calendar year was sent to Respondents on September 27, 2004. The notice included a section titled 48 and 24 Hour Reports on Independent Expenditures, explaining when independent expenditures triggered the required 48 or 24 Hour Notices. Respondents contend that they misinterpreted the

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FECA, and thought their disclosure of independent expenditures on schedule E was sufficient.

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 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 302/RR 05L-60 to the ADR Office.

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ADR CASE ANALYSIS REPORT

ADR Case: 302

Respondents:

Int'l. Brotherhood of Electrical Workers
Local 98 Committee on Political Education
John Dougherty, Treasurer

RAD Referral: 05L-60

Respondents' Rep.: John Dougherty

Date Forwarded to ADRO: 10/31/05

Committee Type: Non-Party

Date Reviewed by ADRO: 10/26/05

Committee Name: Int'l. Brotherhood of
Electrical Workers Local 98 Committee on
Political Education

District & State: N/A

Election Won-Lost: N/A

Election Cycle: 2004

Summary of Referral: RAD referred the International Brotherhood of Electrical Workers Local 98 Committee on Political Education and John Dougherty, Treasurer ("Respondents" or the "Committee") for failing to file one 48-Hour Notice in support of an independent expenditure totaling \$68,284 disclosed on the 2004 12 Day Pre-General Report. In addition, the Committee failed to file one 24-Hour Notice to support three independent expenditures totaling \$56,088.97 disclosed on an Amended 2004 30 Day Post General Report. RAD confirmed that a prior notice listing official filing dates for quarterly filers during the 2004 calendar year was sent to Respondents on September 27, 2004. The notice included a section titled 48 and 24 Hour Reports on Independent Expenditures, explaining when independent expenditures triggered the required 48 or 24 Hour Notices.

Respondents' Reply to RAD: Respondents contend that they misinterpreted the FECA, and thought their disclosure of independent expenditures on schedule E was sufficient.

Recommendation:
Assign to ADRO

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