



FEDERAL ELECTION COMMISSION
Washington, DC 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2006 JUN 14 P 3: 33

June 12, 2006

MEMORANDUM

TO: The Commission

SENSITIVE

THROUGH: Robert J. Costa *AK*
Acting Staff Director

FROM: Allan D. Silberman *AS*
Director ADR Office

SUBJECT: ADR 330 – Latino Alliance and Linda Chavez, Treasurer
Recommendation to Assign Case

On May 15, 2006, the ADR Office received from OGC RAD 06L-18 to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case, ADR 330, is appropriate for ADR and recommend that it be assigned to the ADR Office.

Summary: RAD determined that the Latino Alliance and Linda Chavez, Treasurer, (the “Respondents”) amended their 2004 30-Day Post General Report to disclose additional receipts totaling \$70,873.06 over the amount disclosed on the original 30-Day Post General Report. The original Report, filed on December 2, 2004, disclosed Itemized Contributions from Individuals/ Persons Other Political Committees (on Line 11(a)(i)) of \$10,874.00, \$59,827.29 for Unitemized Contributions from Individuals/Persons Other Than Political Committees (on Line 11(a)(ii)) and \$0.00 for Offsets to Operating Expenditures (on Line 15). An Amended 30-Day 2004 Post General Report, filed on July 12, 2005, disclosed the same amounts listed on the original Report except for \$1,270.36 for Offsets to Operating Expenditures (on Line 15). On November 3, 2005, the Committee filed another Amended 30-Day 2004 Post General Report to disclose Contributions from Individuals/Persons Other Than Political Committees (on Line 11(a)(i)) of \$22,747.00, \$ 117,556.99 for Unitemized Contributions from Individuals/Persons Other Than Political Committees (on Line 11(a)(ii)) and \$ 1,270.00 for Offsets to Operating Expenditures (on Line 15). Respondents, on February 27, 2006 in response to a RFAI sent on January 20, 2006, requesting clarification regarding the additional receipts not previously disclosed, noted they had called the FEC to obtain guidance on how to file a Miscellaneous Electronic Submission (MES). Respondents, in a MES, filed on 3/24/06, explained that they had difficulties managing the vendors’ receipts and disbursements and the transmittal of data to the firm responsible for preparation of FEC reports. However, Respondents contend that they have now established procedures to avoid the problem in the future.

Attached for the Commission’s review is the *ADR Case Analysis Report* on ADR 330 along with a copy of the EPS and ADR Rating Sheets. The *Case Analysis Report* includes an analysis of the

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case and a description of the issues that the ADR Office (ADRO) anticipates addressing if the case is assigned to ADR. In addition, the Report has been reviewed by OGC, which concurs in the description of the case. If the Commission concurs in the recommendation to assign the matter to ADRO, the above case description will be provided to Respondents as part of ADRO's notification package sent to Respondents.

Note: The ADR Office recommends that this matter, **ADR 330**, be consolidated with **ADR 304** which involves the same Respondents. Processing of the latter case was delayed to enable the two matters to be consolidated and to facilitate resolution both RAD referrals. **ADR 304** was reviewed by the Commission and assigned to the ADR Office on January 6, 2006.

Recommendation:

1. Assign **ADR 330/RAD 06L-18** to the ADR Office.
2. Consolidate **ADR 330/RAD 06L-18** into **ADR 304/RAD 05L-61**.

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ADR CASE ANALYSIS REPORT

ADR Case: 330

Respondents: Latino Alliance
Linda Chavez, Treasurer

RAD: 06L-18

Respondents Rep: Linda Chavez

Case Opened: 5-15-06

Committee Type: Unauthorized

Date Forwarded to ADRO: 5-15-06

Committee Name: Latino Alliance

Date Reviewed by ADRO: 6-2-06

Election Cycle: 2004

District #/or State: N/A

Election: N/A

Complainants: RAD Referral

Summary of Referral: RAD determined that Respondents amended their 2004 30-Day Post General Report to disclose additional receipts totaling \$70,873.06 over the amount disclosed on the original 30-Day Post General Report. The original Report, filed on December 2, 2004 for the period from October 14, 2004 through November 22, 2004, disclosed Itemized Contributions from Individuals/Persons Other Political Committees (on Line 11(a)(i)) of \$10,874.00, Unitemized Contributions from Individuals/Persons Other Than Political Committees (on Line 11(a)(ii)) of \$59,827.29, and Offsets to Operating Expenditures (on Line 15) of \$0.00. An Amended 30-Day 2004 Post General Report, filed on 6/1/05, for the same period disclosed identical amounts as previously listed. A subsequent Amended 30-Day 2004 Post General Report, filed on 7/12/05, disclosed the same amounts listed on the original Report except for Offsets to Operating Expenditures (on Line 15) of \$1,270.36.

On November 3, 2005, the Committee filed another Amended 30-Day 2004 Post General Report to disclose Contributions from Individuals/Persons Other Than Political Committees (on Line 11(a)(i)) of \$22,747.00, Unitemized Contributions from Individuals/Persons Other Than Political Committees (on Line 11(a)(ii)) of \$117,556.99, and Offsets to Operating Expenditures (on Line 15) of \$1,270.00.

Respondents' Reply: On February 27, 2006, Respondents, replying to a RFAI sent on January 20, 2006 requesting clarification regarding the additional receipts of \$70,873.06 not previously disclosed, sought guidance on how to access FEC documents and the procedure for filing a miscellaneous electronic submission. Thereafter, Respondents, in a Miscellaneous Electronic Submission, filed on March 24, 2006, advised that they had difficulty managing the "various vendors for our receipts and disbursements . . ." in order to transmit the necessary data to the vendor responsible for preparation of FEC reports. Respondents further explained that the process they have now established "seems to be working so that these issues do not continue to happen."

Recommendation: Assign to ADR

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