



Federal Election Commission
Washington, DC 20463

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MEMORANDUM

June 11, 2007

SENSITIVE

TO: The Commission

THROUGH: Patrina M. Clark *mc*
Staff Director

FROM: John D. Gibson *JG*
Acting Chief Compliance Officer

Deborah Ruth Kant *DRK*
Director, ADR Office

BY: Lynn M. Fraser *LMF*
Assistant Director, ADR Office

SUBJECT: ADR 400 Stop Union Political Abuse and Linda Chavez, Treasurer,
Recommendation to Assign

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On May 22, 2007, the ADR Office received RR 07L-16 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. The ADR Office Memorandum includes a statement of the issues, a summary and analysis of the case, and a Recommendation. In addition, the Office of General Counsel reviewed the ADR Memorandum, and concurs in the description of the case.

ADR Case: ADR 400

Source No. RR 07L-16

Respondents:
Stop Union Political Abuse
Linda Chavez, Treasurer

Respondents' Rep.:
Linda Chavez

Complainant: RAD

Committee Name: Stop Union Political Abuse

Date Referral Filed: 5/11/07

Committee Type: Non-Party

Date Forwarded to ADRO: 5/22/07

District #/or State: N/A

Election - Won/Lost: N/A



Summary and Analysis of Case: Treasurers of political committees are required to report all financial activity, including all receipts, pursuant to the FECA. RAD referred Stop Union Political Abuse and Linda Chavez, Treasurer (“Respondents” or the “Committee”) for failing to disclose a complete report of the Committee’s receipts on its 2004 30 Day Post-General Report. Respondents filed their original 2004 30 Day Post-General Report on December 2, 2005. Respondents filed an amended 2004 30 Day Post-General Report on November 6, 2006 that disclosed additional receipts of \$68,550.23. Respondents contend that the amended report to disclose additional receipts was due to two data files that had not been received by the individual who prepares the Committee’s FEC reports. When Respondents found the omission, they amended the 2004 30 Day Post-General Report, as well as subsequent reports affected.¹

A person, including a political committee, that makes or contracts to make independent expenditures aggregating \$10,000 or more at any time up to and including the 20th day before the date of an election shall file a report describing the expenditures within 48 hours. After a person files an initial report, the person shall file an additional report within 48 hours after each time the person makes or contracts to make independent expenditures aggregating an additional \$10,000 with respect to the same election as that to which the initial report relates. RAD referred Respondents for failing to timely file two (2) 48-Hour Notices totaling \$33,368.14 to support five (5) independent expenditures made between January 1st and the 20th day before the 2006 Primary Election in the State of New York on September 12, 2006. In response to a request for additional information referencing the 2006 October Quarterly Report, Respondents stated that although the 48 Hour Notices were untimely, they had been filed.

RECOMMENDATION:

1. Assign ADR 400/RR 07L-16 to the ADR Office.

¹ RAD noted that the Committee disclosed additional financial activity on the following reports: additional disbursements on an amended 2004 12 Day Pre-General Report, additional disbursements on an amended 2004 30 Day Post-General Report, and additional receipts and disbursements on an amended 2004 Year End Report. RAD did not refer these issues as the increased activity fell below the established referral thresholds.

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