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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C 20463

SENSITIVE

MEMORANDUM

June 6, 2008

28190280467

TO: The Commission

THROUGH: Patrina M. Clark
Staff Director

FROM: John D. Gibson
Chief Compliance Officer

Deborah Ruth Kant
Director, ADR Office

SUBJECT: ADR 446 Save New York Political Action Committee and Scott B. Mackenzie, Treasurer,[1] Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Internal controls statement and certification; priority system for timely filing responses to RFAIs; system for timely filing best efforts statements; and civil penalty of $2,000.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to **ADR 446 (RAD 08L-06).** This case was received by the ADR Office on January 25, 2008, and was assigned to the ADR Office on February 28, 2008.[2]

SUMMARY: A committee may be referred for audit under the Act if the cumulative nature of the reporting errors reveals the committee is not in substantial compliance with the law. 2 U.S.C. § 438(b). The Reports Analysis Division referred the Respondents (or "the Committee") for cumulative errors during the 2006 election cycle. These errors involved mathematical discrepancies, excessive contributions and/or prohibited contributions, failures to disclose all categories of administrative expenses and failures to clarify possible candidate fundraising expenses.

[1] After assignment of the case to the ADR Office, Scott B. Mackenzie replaced Robert A. Hornak as Treasurer.

[2] On this date, the ADR assignment process was modified. Assignments are automatic without a Commission vote.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of Save New York Political Action Committee and Scott B. Mackenzie, Treasurer.

2. Approve the appropriate letters.

3. Close the file on this matter.

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