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Federal Election Commission  
Washington, DC 20463

**SENSITIVE**

**MEMORANDUM**

TO: The Commission

THROUGH: James A. Pehrkon  
Staff Director

FROM: Allan D. Silberman  
Director, ADR Office

BY: Lynn M. Fraser  
Assistant Director, ADR Office

SUBJECT: Case for ADR Activation

DATE: February 25, 2005

On January 24, 2005, the ADR Office received from OGC/CELA the following case to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case, ADR 225/RR 04L-17, is appropriate for ADR and recommend that it be assigned to the ADR Office.

**ADR 225/RR 04L-17:** The National Right to Life PAC and Amarie C. Natividad, Treasurer ("Respondents" or "Committee") filed an Amended 2003 Year-End Report on April 8, 2004 to disclose additional unitemized contributions of \$125,099.76. This was a 74.6% increased in unitemized contributions disclosed in the original 2003 Year-End Report filed on January 29, 2004. In response to a Request for Additional Information sent by the Reports Analysis Division ("RAD") the Committee stated that the additional receipts were due to the fact that Respondents had not completed a reconciliation of their books at the time the original report was due.

Attached for the Commission's review is the *ADR Case Analysis Report* on ADR 225, 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 OGC, which concurs in the description of the case.

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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.

**ADR Director's Recommendation:** We recommend that **ADR 225/RR 04L-17** be assigned to the ADR Office for processing.

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## ADR CASE ANALYSIS REPORT

**ADR Case:** 225

**Respondents:**

National Right to Life PAC  
Amarie C. Natividad, Treasurer

**RAD Referral:** 04L-17

**Respondents' Rep.:** Amarie C. Natividad

**Date Forwarded to ADRO:** 01/24/05

**Committee Type:** PAC

**Date Reviewed by ADRO:** 01/31/05

**Committee Name:**

National Right to Life PAC

**District & State:** N/A

**Election Cycle:** 2004

**Summary of Referral:** The National Right to Life PAC and Amarie C. Natividad, Treasurer ("Respondents" or "Committee") filed an Amended 2003 Year-End Report on April 8, 2004 to disclose additional unitemized contributions of \$125,099.76. This was a 74.6% increase in unitemized contributions disclosed in the original 2003 Year-End Report filed on January 29, 2004.

**Alleged Violations:** 2 U.S.C. § 434(b)(2)(A) and 11 C.F.R. § 104.3(a)(2)(i)(B)

**Respondent's' Reply to RAD:** In response to a Request for Additional Information sent by the Reports Analysis Division ("RAD") the committee stated that the additional receipts were due to the fact that Respondents had not completed a reconciliation of their books at the time the original report was due.

**Analysis:** The statute and regulations clearly state the required information for disclosure reports, and when the reports are to be filed. The brochure for political action committees also goes into detail on maintaining the financial data required to ensure the reports are accurate and timely.

**Issues:**

- Reporting all contributions from individuals 2 U.S.C. § 434(b)(2)(A) and 11 C.F.R. § 104.3(a)(2)(i)(B)

**Related FEC Experience/Guidance:** There are a large number of cases at the Commission resolved by both the OGC and the ADRO dealing with the issue of incomplete or inaccurate reporting of contributions. The resolution of these cases

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involved, in addition to the filing of full and complete reports, activities with a focus on future compliance and/or a civil penalty.

**ADR Director's Recommendation: Assign to ADRO**

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*S. Herman*

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Monday, February 28, 2005 11:00

BALLOT DEADLINE: Thursday, March 03, 2005 4:00

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

SUBJECT: **Case for ADR Activation ADR 225/RR 04L-17**  
**Memorandum from the Director, ADR Office**  
**dated February 25, 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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