



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

05L-13

April 14, 2005

MEMORANDUM

TO: LAWRENCE H. NORTON
GENERAL COUNSEL

THROUGH: JAMES A. PEHRKON
STAFF DIRECTOR

ROBERT J. COSTA
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF THE ARAB AMERICAN LEADERSHIP COUNCIL PAC

The Arab American Leadership Council PAC ("the Committee") is being referred to the Office of General Counsel (OGC) for failing to file a 2002 30 Day Post-General Report and Year End Report for the 2001-2002 election cycle. Additionally, based upon itemized disbursements reported on the 2002 Year End Report, filed on February 10, 2005, the Committee also failed to file the 12 Day Pre-General Report. The disclosed activity within the 2002 Year End Report would have subjected the Committee for inclusion within the Commission's Administrative Fine program. In accordance with the 2003-2004 RAD *Review and Referral Procedures for Unauthorized Committees* (Standard 4), this matter requires further examination by your office.

Copies of any reports or letters filed by the Committee or sent by the Reports Analysis Division and referenced in this referral are available for your review on the FEC Imaging System or the web site.

If you should have any questions or require clarification regarding this referral, please contact Elizabeth Goings at 694-1163.

Attachments

25190263079

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: April 14, 2005

ANALYST: Elizabeth Y. Goings

- I. COMMITTEE: Arab American Leadership Council PAC
(C00194225)
James Joseph Zogby, Treasurer
1600 K Street NW, Suite # 601
Washington, DC 20006
- II. RELEVANT STATUTES: 2 U.S.C. §434 (a)
11CFR §104.5 (c)
- III. BACKGROUND:

Failure to File Reports and Late Filing

The Arab American Leadership Council PAC ("the Committee") failed to file a 2002 30 Day Post-General Report and Year End Report. The Committee filed a 2002 Year End Report, on February 20, 2005, which covered the filing dates of October 1, 2002 through December 31, 2002. This report included the activity of the 30 Day Post General report and based upon itemized disbursements outlined within the report, the committee was also required to file a 12 Day Pre-General Report. Please note all Committees were sent Prior Notice on September 30, 2002, which outlined reporting requirements and filing dates for those quarterly filers who made general election contributions or expenditures (Attachment 2).

On December 23, 2002, a Notice of Failure to File (RQ-7) was sent to the Committee referencing the 2002 30 Day Post-General Report. The notice advised the Committee that the failure to file the requested report could result in civil money penalties, an audit or legal enforcement action (Image 23037914721).

On February 21, 2003, a Notice of Failure to File (RQ-7) was sent to the Committee referencing the 2002 Year End Report. The notice advised the Committee that the failure to file the requested report could result in civil money penalties, an audit or legal enforcement action (Image 23038010629).

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On February 10, 2005, the Committee filed a report marked as 2002 Year End Report October 1, 2002 through December 31, 2002 (Image 25990043704). This report covered the activity for the 12 Day Pre-General, 30 Day Post General and the Year End Report for the committee. The requirement to file the 12 Day Pre-General is based on the committee making contributions totaling \$53,250 to 29 Federal candidates in the October 1, 2002 through October 16, 2002 time period (Attachment 3). Since the committee's report contained unitemized activity, RAD is unable to provide your office with the exact financial activity for each report. However, we have provided a chart for each report based on the disbursement activity the committee provided (Attachment 4).

To date, no communications regarding this matter have been received from the Committee.

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ARAB AMERICAN LEADERSHIP COUNCIL PAC
JAMES JOSEPH ZOGBY
FILING FREQUENCY: QUARTERLY

1600 K STREET NW SUITE 601

WASHINGTON

NON-PARTY QUALIFIED
DC 20006

ID #C00194225

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
1		A		8/16/2001	6	21037280020						
MS		2		7/31/2002	2	22037683021						
MS		2		8/06/2002	2	22037691758						
RQ	Q1	2		3/19/2003	5	23038014854	1/01/2002 3/31/2002					
RQ	Q1	3		4/10/2003	6	23038035098	1/01/2002 3/31/2002					
RQ	Q2	2		3/19/2003	5	23038014859	4/01/2002 6/30/2002					
RQ	Q2	3		4/10/2003	7	23038035104	4/01/2002 6/30/2002					
RQ	Q3	5		3/07/2003	2	23038010037	7/01/2002 9/30/2002					
RQ	30G	7		12/23/2002	2	23037914721	10/01/2002 11/25/2002					
RQ	YE	7		2/21/2003	2	23038010629	11/26/2002 12/31/2002					
3	MY	N	P	7/31/2001	6	21037240615	1/01/2001 6/30/2001	6294	100	4600	1794	4344
3	MY	A	P	10/05/2001	2	21037323852	1/01/2001 6/30/2001	5694	100	4600	1194	4344
3	MY	A	P	1/11/2002	2	22037384659	1/01/2001 6/30/2001	6694	100	4600	2194	4344
3	MY	A	P	1/30/2002	2	22037412458	1/01/2001 6/30/2001	6694	100	4600	2194	4344
3	YE	N	P	1/29/2002	21	22037410041	7/01/2001 12/31/2001	2194	17060	12350	6904	4718
3	Q1	N	P	4/15/2002	11	22037530908	1/01/2002 3/31/2002	6904	7294	4000	10198	5181
3	Q2	N	P	7/10/2002	13	22037632711	4/01/2002 6/30/2002	10198	6878	4600	12476	5670
3	Q3	N	P	10/10/2002	20	22037754866	7/01/2002 9/30/2002	12476	15065	16797	10744	6502
3	YE	N	P	2/10/2005	57	25990043678	10/01/2002 12/31/2002	6904	111615	113141	5377	0
TOTAL									158012	155488		

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DC 20006

ID #C00194225

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
RQ	MY	7		8/19/2003	2	23038193980	1/01/2003 6/30/2003					
RQ	YE	7		2/23/2004	2	24038330851	7/01/2003 12/31/2003					
RQ	Q1	2		12/30/2004	4	24038674722	1/01/2004 3/31/2004					
RQ	Q2	2		1/07/2005	2	25038683093	4/01/2004 6/30/2004					
RQ	Q2	2		3/25/2005	3	25038763183	4/01/2004 6/30/2004					
RQ	Q3	2		1/07/2005	3	25038683095	7/01/2004 9/30/2004					
RQ	12G	2		1/14/2005	3	25038692087	10/01/2004 10/13/2004					
RQ	12G	2		3/25/2005	3	25038763180	10/01/2004 10/13/2004					
RQ	30G	2		1/21/2005	3	25038701418	10/14/2004 11/22/2004					
RQ	YE	2		3/04/2005	3	25038750136	11/23/2004 12/31/2004					
3	MY	N	P	2/10/2005	9	25990043735	1/01/2003 6/30/2003	5377	1150	200	6327	0
3	YE	N	P	2/10/2005	14	25990043744	7/01/2003 12/31/2003	6327	26841	4146	29022	0
3	Q1	N	P	4/15/2004	14	24038370365	1/01/2004 3/31/2004	32387	23550	1250	54687	0
3	Q1	A	P	7/15/2004	13	24961843561	1/01/2004 3/31/2004	32387	23550	1250	54687	0
3	Q1	A	P	1/31/2005	14	25970137393	1/01/2004 3/31/2004	32387	23550	3255	52682	0
3	Q2	N	P	7/15/2004	13	24971334615	4/01/2004 6/30/2004	54687	9430	18000	46117	0
3	Q2	A	P	2/07/2005	13	25970181652	4/01/2004 6/30/2004	49317	9430	18000	40747	0
3	Q3	N	P	10/14/2004	17	24962442220	7/01/2004 9/30/2004	46117	19150	22853	42414	0
3	Q3	A	P	2/07/2005	17	25970181665	7/01/2004 9/30/2004	40747	18750	22853	36644	0
3	12G	N	P	10/27/2004	21	24971891190	10/01/2004 10/13/2004	42414	12500	47000	7914	0
3	12G	A	P	2/10/2005	21	25990043758	10/01/2004 10/13/2004	36644	12500	47000	2144	0
3	30G	N	P	12/02/2004	22	24991381015	10/14/2004 11/22/2004	7914	25130	25750	7294	0
3	30G	A	P	2/10/2005	22	25990043779	10/14/2004 11/22/2004	2144	25130	25750	1524	0

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FEDERAL ELECTION COMMISSION

DATE 4/14/2005
OGC INDEX - (0) (2003-2004)

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ARAB AMERICAN LEADERSHIP COUNCIL PAC
JAMES JOSEPH ZOGBY
FILING FREQUENCY: QUARTERLY

1600 K STREET NW SUITE 601

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PARTY QUALIFIED
DC 20006

ID #C00194225

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
3	YE	N	P	1/28/2005	7	25970052448	11/23/2004 12/31/2004	7294	2500	5165	4628	0
3	YE	A	P	2/10/2005	7	25990043801	11/23/2004 12/31/2004	1524	2500	5165	1141-	0
TOTAL									119851	126369		

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GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

September 30, 2002

I. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 16

REPORT	REPORTING PERIOD ¹	REG./CERT. MAILING DATE ²	FILING DATE
Pre-General	10/01/02 - 10/16/02	10/21/02	10/24/02
Post-General	10/17/02 - 11/25/02	12/05/02	12/05/02

II. QUARTERLY FILERS THAT DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 16³

REPORT	REPORTING PERIOD ¹	REG./CERT. MAILING DATE ²	FILING DATE
Post-General	10/01/02 - 11/25/02	12/05/02	12/05/02

WHO MUST FILE

Party Committees and PACs must follow the above charts in order to determine whether they must file a report 12 days before the general election on November 5 (the Pre-General Report). All Party Committees and PACs, regardless of financial activity, must file a report 30 days after the general election (the Post-General Election Report).

¹These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

²Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

³Committees that made general election contributions or expenditures before October 1 and did not previously report them must also follow Chart I.

(over)

IMPORTANT FILING INFORMATION

In response to the anthrax threat, the US Postal Service is irradiating mail directed to many federal government agencies, including the FEC and the Secretary of the Senate.⁴ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than regular US mail. Alternative methods include:

- Electronic Filing;
- Overnight mail service; and
- Hand delivery.

24 HOUR REPORT ON INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in connection with an election may also have to file a 24-hour report. This reporting requirement is triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the day of the election. This report is *not* required when a Party Committee or PAC makes a contribution directly to a candidate.

ELECTRONIC FILING

Political committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that expect to do so, must submit their reports electronically. For additional information, review the enclosed handout entitled "Electronic Filing," call the FEC's Electronic Filing office at (800) 424-9530 or (202) 694-1642, and visit our web site at <http://www.fec.gov/elecfil/electron.html>.

COMPLIANCE

- Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.
- Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties ranging from \$125 to \$16,000 (or more for repeat late- and non-filers). For additional information, see the enclosed handout entitled, "Administrative Fine Program," and visit the FEC web site at <http://www.fec.gov/adminfines1.html>.
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.
- Electronic filers who instead file on paper or submit an electronic report that does not pass the validation test will be considered non-filers and may be subject to enforcement actions (including administrative fines).

⁴Committees that support only Senate candidates should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via regular US mail.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100

Arab American Leadership Council PAC (C00194225)**2002 Year-End Report****Highlighted 12 Day Pre-General Disbursement Overview (10/1/02 – 10/16/02)**

Line	Date	Name	Purpose	Amount
23	10/04/2002	Issa, Darryl	Campaign Contribution	\$4,000.00
23	10/04/2002	Kilpatrick, Carolyn	Campaign Contribution	\$1,000.00
23	10/04/2002	Kucinich, Dennis	Campaign Contribution	\$2,000.00
23	10/04/2002	Rahall, Nick II	Campaign Contribution	\$4,000.00
23	10/04/2002	Riley, Tim	Campaign Contribution	\$5,000.00
23	10/04/2002	Sununu, John	Campaign Contribution	\$1,000.00
23	10/08/2002	Moran, Jim	Campaign Contribution	\$1,000.00
23	10/09/2002	Payne, Don	Campaign Contribution	\$1,750.00
23	10/10/2002	Hagel, Chuck	Campaign Contribution	\$2,000.00
23	10/10/2002	John, Chris	Campaign Contribution	\$2,000.00
23	10/10/2002	Lahood, Ray	Campaign Contribution	\$1,000.00
23	10/10/2002	Lee, Barbara	Campaign Contribution	\$1,000.00
23	10/10/2002	Solis, Hilda L.	Campaign Contribution	\$1,000.00
23	10/10/2002	Van Hollen, Chris	Campaign Contribution	\$2,000.00
23	10/10/2002	Wellstone, Paul	Campaign Contribution	\$2,000.00
23	10/11/2002	Aldersley, Stephanie	Campaign Contribution	\$500.00
23	10/16/2002	Abu-Ghazalah, Maad	Campaign Contribution	\$500.00
23	10/16/2002	Abu-Ghazalah, Maad	Campaign Contribution	\$500.00
23	10/16/2002	Jackson, Jesse Jr.	Campaign Contribution	\$2,000.00
23	10/16/2002	Jackson-Lee, Sheila	Campaign Contribution	\$2,000.00
23	10/16/2002	Kaptur, Marci	Campaign Contribution	\$2,000.00
23	10/16/2002	McDermott, Jim	Campaign Contribution	\$2,000.00
23	10/16/2002	Obey for Congress	Campaign Contribution	\$2,000.00
23	10/16/2002	Paul, Ron	Campaign Contribution	\$2,000.00
23	10/16/2002	Pelosi, Nancy	Campaign Contribution	\$2,000.00
23	10/16/2002	Rohrabacher, Dana	Campaign Contribution	\$1,000.00
23	10/16/2002	Sanders, Bernard	Campaign Contribution	\$2,000.00
23	10/16/2002	Watt, Mel	Campaign Contribution	\$2,000.00
23	10/16/2002	Woolsey, Lynn	Campaign Contribution	\$2,000.00
Total (29 Entries)				\$53,250.00

Arab American Leadership Council Fund (C00194225)**Filing/Expenditure Overview**

Report Type/Reporting Periods	Date Filing Due	Date Report Filed	Receipts – (Unitemized)	Receipts – (Itemized) Line 11 (i) (a)	Total Disbursements	Itemized Disbursements - Contributions to Federal Candidates Line 23
2002 Year End Report (11/26/02-12/31/02)	1/31/2002	2/10/05 – The 2002 Year End Report covered the filing period from 10/01/02 through 12/31/02	\$23,665.00	\$111,615 00	\$113,141.21	\$107,270.40
12 Day Pre-General Report (10/01/02-10/16/02)	10/24/2002	Not Filed - Expenditures highlighted within the 2002 Year End Report.	Unknown	\$52,750.00	Unknown	\$53,250.00
30 Day Post General Report (10/17/02-11/25/02)	12/5/2002	Not Filed – Expenditures highlighted within the 2002 Year End Report.	Unknown	\$35,200.00	Unknown	\$49,020.40

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