



FEDERAL ELECTION COMMISSION
Washington, DC 20463

October 2, 2007

Pat Forrey
1325 Massachusetts Avenue, NW
Washington, DC 20005

Re: ADR 417 (RAD 07L-34)
National Air Traffic Controllers Association PAC and Pat Forrey, Treasurer

Dear Mr. Forrey:

The Reports Analysis Division of the Federal Election Commission (FEC/Commission) determined that matters arising from its recent review of reports filed by the National Air Traffic Controllers Association PAC warranted further examination for possible violation of the Federal Election Campaign Act of 1971, as amended. The Commission, thereafter, reviewed the file and voted on September 24, 2007 to assign this matter to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with National Air Traffic Controllers Association PAC and Pat Forrey, Treasurer (Respondents or Committee). The ADR Program provides Respondents with an opportunity to negotiate, and if appropriate, mediate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations and/or mediation are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the Program, i.e., negotiation and/or mediation, you must: 1) indicate in writing a willingness to have your case submitted to the ADR process; 2) agree to participate in the bilateral negotiations and if appropriate, mediation; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADR Office, and the focus of our subsequent negotiations are summarized as follows:

Summary: Treasurers of political committees are required to report all financial activity, including all receipts. 2 U.S.C. §§ 434(a), 434(b)(2), 11 C.F.R. § 104.3(a). In this case, Respondents (or "the Committee") failed to disclose \$81,374.02 in additional receipts on its 2006 12 Day Pre-General Report. The Committee filed the original 2006 12 Day Pre-

General Report on October 26, 2006, and filed the amended report disclosing the additional receipts on March 20, 2007.

In this amended report, the Committee explained that it had not included bank interest due to an administrative error. On May 11, 2007, in a memo text, the Committee elaborated that it had experienced computer problems and had difficulty uploading data into the e-filing system. The Committee also stated in the memo text that this data transfer did not include payroll deduction contributions.

If after reviewing this letter and the enclosed brochure, which describes the ADR program, Respondents would like this case selected for ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR Program form. **Failure to respond affirmatively within fifteen (15) business days of receipt of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited may increase.

If you decide to participate in the ADR Program, please provide any additional responses Respondents would like to make, including proposed stipulations or terms to resolve the matter. **Please also provide some dates and times when you'd be available to discuss this matter in detail on a separate sheet of paper.** I will then review my calendar, so that a time can be scheduled.

This matter has been designated as ADR 417. Please refer to this number in future correspondence with the FEC. If you have any questions about the ADR Program, please contact me directly at the number given below.

Sincerely,



Deborah Ruth Kant, Director
Alternative Dispute Resolution Office
202-694-1661

Enclosures: Brochure
Commitment to Submit Matter to ADR
Designation of Representative/Counsel