



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1379

DATE SCANNED 10/4/05

SCANNER NO. 1

SCAN OPERATOR S.E.G

25092582242



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2005 APR 22 A 11:46

April 21, 2005

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR

ROBERT J. COSTA *RJC*  
DEPUTY STAFF DIRECTOR

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

SUBJECT: REASON TO BELIEVE RECOMMENDATION - 2004 YEAR  
END REPORT FOR THE ADMINISTRATIVE  
FINES PROGRAM

Attached is a list of political committees and their treasurers who failed to file, or failed to timely file, the 2004 Year End Report in accordance with 2 U.S.C. 434(a). On December 27, 2004, Prior Notice was sent to all political committees and their treasurers, informing them that the Year End Report was due on January 31, 2005.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days after the due date, or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties included on the report provided.

**Recommendation**

- (1) Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
- (2) Send the appropriate mailgrams.

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FEDERAL ELECTION COMMISSION 2003-2004  
Reason to Believe Circulation Report  
2004 YEAR END

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AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER						
RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY					

AF01343	MAC COLLINS FOR SENATE	GA	COLLINS, MICHAEL ALLEN (MAC)	\$3,717,747	No	0	\$1,475
C00387340	WANDA TSCHUDY						
02/07/2005	7	\$135,999					
AF01344	JOHN KENNEDY FOR US SENATE INC	LA	KENNEDY, JOHN NEELY	\$3,839,653	No	0	\$560
C00396044	WILLIAM C POTTER						
02/18/2005	18	\$46,040					
AF01345	CHASE COMMITTEE	MA	CHASE, KENNETH G	\$128,567	No	0	\$100
C00399527	NAZMUL HUQ						
02/10/2005	10	\$6,710					
AF01346	AL GREEN FOR CONGRESS	TX	GREEN, ALEXANDER	\$1,759,017	No	0	\$3,300
C00396028	WILLIAM A LAWSON						
03/01/2005	29	\$75,472					

2004 YEAR END

AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	
COMMITTEE ID	TREASURER			LEVEL OF ACTIVITY		CIVIL MONEY PENALTY	
RECEIPT DATE	DAYS LATE						
AF01348	GARY NOLAN FOR PRESIDENT	00	NOLAN, GARY P.		No	2	
C00384370	STEPHEN L DASBACH	\$272,684		\$22,723 (est)			\$750
Not Filed							
AF01349	CAMPBELL FOR SENATE	CA	CAMPBELL, TOM		No	2	
C00350942	CHARLES P ZAHL	\$606,652		\$86,664 (est)			\$5,250
Not Filed							
AF01350	SITTER FOR CONGRESS	CO	SITTER, DOUGLAS RICHARD		No	1	
C00392027	BRAD TAFOYA	\$124,706		\$275			\$312
04/06/2005	Not Filed						
AF01352	CHRIS JENNINGS FOR CONGRESS	FL	JENNINGS, CHRISTINE L		No	0	
C00398305	SUSAN K FLYNN	\$1,135,281		\$3,340			\$250
03/08/2005	Not Filed						
AF01353	SAULL FOR SENATE	FL	SAULL, KAREN		No	0	
C00401398	ALICE THORNTON STANLEY	\$1,726,176		\$863,088 (est)			\$11,500
Not Filed							
AF01354	CLAY FOR CONGRESS.COM	GA	CLAY, CHARLES COMMANDER		No	0	
C00388280	Thomas Rogers	\$2,339,483		\$3,389			\$250
03/21/2005	Not Filed						

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AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS
COMMITTEE ID	TREASURER			LEVEL OF ACTIVITY		CIVIL MONEY PENALTY
RECEIPT DATE	DAYS LATE					

AF01356	SCOTT FOR CONGRESS	LA	SCOTT, JOHN WYETH		No	0
C00403659	STEPHEN R FURR	\$298,104				\$2,700
Not Filed		\$74,526 (est)				

AF01358	JOHN MCKINNIS FOR CONGRESS INC	MD	MCKINNIS, JOHN R II		No	0
C00391268	WILLIAM L CALLAHAN	\$186,933				\$900
Not Filed		\$26,704 (est)				

AF01359	FRIENDS OF PAUL DEWEESE FOR CONGRESS	MI	DEWEESE, PAUL		No	0
C00386623	KEVIN BROWNLOW	\$609,319				\$3,500
Not Filed		\$87,045 (est)				

AF01360	STEVEN REIFMAN FOR CONGRESS	MI	REIFMAN, STEVEN W.		No	0
C00396275	Glazer, Andrew	\$237,953				\$250
03/21/2005	Not Filed	\$2,746				

AF01361	SMITH FOR CONGRESS LLC	MO	SMITH, MARK		No	0
C00389759	HENRY F LUEPKER	\$445,286				\$2,700
Not Filed		\$74,214 (est)				

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2004 YEAR END

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AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER	LEVEL OF ACTIVITY					
RECEIPT DATE	DAYS LATE						
AF01362	FRIENDS OF JEFF SMITH	MO	SMITH, JEFF		No	0	\$5,500
C00390914	NICK ADAMS	\$930,796					
Not Filed		\$186,159 (est)					
AF01363	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS MS		SUMMERS-O'NEAL, STEHPANIE		No	3	\$7,875
C00395863	DEBORAH JOHNSON THORNTON	\$110,474					
Not Filed		\$110,474 (est)					
AF01364	WHIT FOR CONGRESS	NC	WHITFIELD, ROBERT EDWARD		No	0	\$250
C00395210	JENNIFER B PHILLIPS	\$106,915					
Not Filed		\$1,083					
AF01366	JAMES A GARNER CONGRESSIONAL COMMITTEE NY		GARNER, JAMES A		No	0	\$4,500
C00392506	LOUIS M EUSTACHE	\$678,368					
Not Filed		\$135,673 (est)					
AF01367	FLEMING FOR CONGRESS 2004	NY	FLEMING, JOHN J		No	1	\$1,125
C00391615	NEIL J MCCARTHY	\$171,541					
Not Filed		\$42,885 (est)					

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AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER	LEVEL OF ACTIVITY					
RECEIPT DATE	DAYS LATE						
AF01368	HONEST ABE HIRSCHFELD FOR U S SENATE	NY	HIRSCHFELD, ABRAHAM	\$789,293	No	4	\$22,000
C00393538	GEORGE L ESPADA	\$789,293 (est)					
Not Filed							
AF01369	FRIENDS OF JEFF SEEMANN FOR CONGRESS	OH	SEEMANN, JEFF	\$135,872	No	1	\$3,375
C00399808	JEFF SEEMANN	\$67,936 (est)					
Not Filed							
AF01370	JOHN MCCONNELL WOLFE JR FOR CONGRESS	TN	WOLFE, JOHN M JR	\$195,488	No	0	\$900
C00401521	ALBERT F TEAGUE JR	\$38,668 (est)					
Not Filed							
AF01371	CHRISTENSEN 4 CONGRESS	TX	CHRISTENSEN, GENE	\$442,778	No	0	\$4,500
C00393462	LAURA BESKAR	\$110,694 (est)					
Not Filed							
AF01374	STACE WILLIAMS FOR US CONGRESS	TX	WILLIAMS, STACE LAWRENCE	\$244,297	No	2	\$1,350
C00385047	CHARLES WADE DARTER JR	\$30,537 (est)					
Not Filed							

AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS
COMMITTEE ID	TREASURER					CIVIL MONEY PENALTY
RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY				
AF01376	COMMITTEE TO ELECT WILLIAM VADEN FOR CONGRESS	TX	VADEN, WILLIAM R			
C00394692	WILLIAM ROSS VADEN	\$100,208	No	0		\$500
Not Filed	\$16,701 (est)					
AF01377	SOCAS FOR CONGRESS	VA	SOCAS, JAMES ROBERT			
C00399345	ANDREW T O'DELL	\$1,832,292	No	1		\$11,875
Not Filed	\$458,073 (est)					
AF01379	AMERICANS FOR DEMOCRATIC ACTION INC PAC	DC				
C00112680	Dulk Jacobs, Valerie	\$104,210	No	0		\$115
02/18/2005	18	\$1,129				
AF01380	EMPIRE DISTRICT ELECTRIC COMPANY PAC	MO				
C00208249	JAY WILLIAMS	\$120,535	No	0		\$200
03/02/2005	30	\$6,334				
AF01381	INTERNATIONAL CHIROPRACTORS ASSOCIATION-PAC	VA				
C00329920	GARY WALSEMANN	\$116,397	No	0		\$520
02/16/2005	16	\$28,082				

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Reason to Believe Circulation Report

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AF #	COMMITTEE NAME	TREASURER	COMMITTEE ID	RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF01382	MCKENNA LONG AND ALDRIDGE LLP PAC	EDGAR H SIMS	C00391383	02/11/2005	11	\$21,000	\$136,785	GA		No	0	\$155
AF01383	METRO-GOLDWYN-MAYER PAC	DEBORAH J ARVESEN	C00207589	02/14/2005	14	\$285	\$114,495	CA		No	1	\$118
AF01384	SUGAR CANE GROWERS COOPERATIVE OF FLORIDA	JOHN W GRAY	C00254656	02/24/2005	24	\$952	\$160,666	FL		No	1	\$181
AF01385	U S IMMIGRATION REFORM PAC	WILLIAM W CHIP	C00253906	02/22/2005	22	\$3,275	\$340,071	DC		No	0	\$135
AF01387	SOUTHEAST ANESTHESIA ASSOCIATES PAC	H ARTHUR MCCULLOCH MD	C00306878	03/23/2005	Not Filed	\$6,990	\$246,375	NC		No	1	\$375
AF01388	COLONIAL BANGROUP INC FEDERAL PAC	HARLAN PARRISH	C00309526	Not Filed		\$35,427 (est)	\$141,709	AL		No	3	\$1,575

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AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER			LEVEL OF ACTIVITY			
RECEIPT DATE	DAYS LATE						
AF01389	CONGRESSIONAL BLACK CAUCUS PAC	DC					
C00147512	Arthur R. Collins	\$680,400	No	5		\$10,125	
Not Filed		\$136,080 (est)					
AF01390	INDEPENDENT ACTION INC	DC					
C00139741	RALPH SANTORA	\$466,059	No	1		\$4,375	
Not Filed		\$89,457 (est)					
AF01391	PLUMBERS LOCAL 519 PAC	FL					
C00143362	PHIL TRUCKS JR	\$130,725	No	0		\$250	
03/28/2005	Not Filed	\$3,737					



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Friday, April 22, 2005 12:00

BALLOT DEADLINE: Wednesday, April 27, 2005 4:00

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

SUBJECT: **Reason to Believe Recommendation -2004 Year End Report for the Administrative Fines Program. Memorandum from the Assistant Staff Director Reports Analysis Division dated April 21, 2005.**

( ) I approve the recommendation(s)  
( ) I object to the recommendation(s)  
( ) I approve the recommendations except those following to which I object (please insert AF#)  
\_\_\_\_\_  
\_\_\_\_\_

( ) I approve the recommendations except those following in which I abstain (please insert AF#)  
\_\_\_\_\_  
\_\_\_\_\_

( ) I approve the recommendations except those following in which I am recused (please insert AF#)  
\_\_\_\_\_  
\_\_\_\_\_

( ) I am not voting on this tally.

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.

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

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## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Reason To Believe Recommendation - 2004 )  
 Year End Report for the Administrative )  
 Fines Program: )

MAC COLLINS FOR SENATE, and ) AF# 1343  
 WANDA TSCHUDY as treasurer; )  
 JOHN KENNEDY FOR US SENATE INC, ) AF# 1344  
 and WILLIAM C POTTER as treasurer; )  
 CHASE COMMITTEE, and NAZMUL ) AF# 1345  
 HUQ as treasurer; )  
 AL GREEN FOR CONGRESS, and ) AF# 1346  
 WILLIAM A LAWSON as treasurer; )

GARY NOLAN FOR PRESIDENT, and ) AF# 1348  
 STEPHEN L DASBACH as treasurer; )  
 CAMPBELL FOR SENATE, and ) AF# 1349  
 CHARLES P ZAHL as treasurer; )  
 SITTER FOR CONGRESS, and BRAD ) AF# 1350  
 TAFOYA OF BROWN WHEELDON )  
 TAFOYA & as treasurer; )

CHRIS JENNINGS FOR CONGRESS, and ) AF# 1352  
 SUSAN K FLYNN as treasurer; )  
 SAULL FOR SENATE, and ALICE ) AF# 1353  
 THORNTON STANLEY as treasurer; )

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CLAY FOR CONGRESS.COM, and ) AF# 1354  
 Thomas Rogers as treasurer; )

SCOTT FOR CONGRESS, and STEPHEN ) AF# 1356  
 R FURR as treasurer; )

JOHN MCKINNIS FOR CONGRESS INC, ) AF# 1358  
 and WILLIAM L CALLAHAN as treasurer; )

FRIENDS OF PAUL DEWEESE FOR ) AF# 1359  
 CONGRESS, and KEVIN BROWNLOW )  
 as treasurer; )

STEVEN REIFMAN FOR CONGRESS, ) AF# 1360  
 and Glazer, Andrew as treasurer; )

SMITH FOR CONGRESS LLC, and ) AF# 1361  
 HENRY F LUEPKE as treasurer; )

FRIENDS OF JEFF SMITH, and NICK ) AF# 1362  
 ADAMS as treasurer; )

STEPHANIE SUMMERS O'NEAL FOR ) AF# 1363  
 US CONGRESS, and DEBORAH )

JOHNSON THORNTON as treasurer; )  
 WHIT FOR CONGRESS, and JENNIFER ) AF# 1364  
 B PHILLIPS as treasurer; )

JAMES A GARNER CONGRESSIONAL ) AF# 1366  
 COMMITTEE, and LOUIS M EUSTACHE )  
 as treasurer; )

FLEMING FOR CONGRESS 2004, and ) AF# 1367  
 NEIL J MCCARTHY as treasurer; )

HONEST ABE HIRSCHFELD FOR ) AF# 1368  
 UNITED STATES SENATE, and )

GEORGE L ESPADA as treasurer; )  
 FRIENDS OF JEFF SEEMANN FOR ) AF# 1369

CONGRESS, and Chaney, Michael as )  
 treasurer; )

JOHN MCCONNELL WOLFE JR FOR ) AF# 1370  
 CONGRESS, and ALBERT F TEAGUE JR )

as treasurer; )  
 CHRISTENSEN 4 CONGRESS, and ) AF# 1371

LAURA BESKAR as treasurer; )

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STACE WILLIAMS FOR US ) AF# 1374  
 CONGRESS, and CHARLES WADE )  
 DARTER JR as treasurer; )

COMMITTEE TO ELECT WILLIAM ) AF# 1376  
 (WILLIE) VADEN FOR CONGRESS, and )  
 WILLIAM ROSS VADEN as treasurer; )  
 SOCAS FOR CONGRESS, and ANDREW ) AF# 1377  
 T O'DELL as treasurer; )

AMERICANS FOR DEMOCRATIC ) AF# 1379  
 ACTION INC POLITICAL ACTION )  
 COMMITTEE, and Dulk Jacobs, Valerie as )  
 treasurer; )

EMPIRE DISTRICT ELECTRIC ) AF# 1380  
 COMPANY POLITICAL ACTION )  
 COMMITTEE, and JAY WILLIAMS as )  
 treasurer; )

INTERNATIONAL CHIROPRACTORS ) AF# 1381  
 ASSOCIATION-POLITICAL ACTION )  
 COMMITTEE, and TIMOTHY E MENG )  
 as treasurer; )

MCKENNA LONG AND ALDRIDGE ) AF# 1382  
 LLP POLITICAL ACTION COMMITTEE, )  
 and EDGAR H SIMS as treasurer; )

METRO-GOLDWYN-MAYER ) AF# 1383  
 POLITICAL ACTION COMMITTEE, and )  
 DEBORAH J ARVESEN as treasurer; )

SUGAR CANE GROWERS ) AF# 1384  
 COOPERATIVE OF FLORIDA (PAC), )  
 and JOHN W GRAY as treasurer; )

U S IMMIGRATION REFORM PAC, and ) AF# 1385  
 WILLIAM W CHIP as treasurer; )

SOUTHEAST ANESTHESIA ) AF# 1387  
 ASSOCIATES POLITICAL ACTION )  
 COMMITTEE, and H ARTHUR )  
 MCCULLOCH MD as treasurer; )

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COLONIAL BANCGROUP INC	)	AF# 1388
FEDERAL POLITICAL ACTION	)	
COMMITTEE (COLONIAL FED PAC),	)	
and GLENDA ALLRED as treasurer;	)	
CONGRESSIONAL BLACK CAUCUS	)	AF# 1389
POLITICAL ACTION	)	
COMMITTEE(CBC-PAC), and Arthur R.	)	
Collins as treasurer;	)	
INDEPENDENT ACTION INC, and	)	AF# 1390
RALPH SANTORA as treasurer;	)	
PLUMBERS LOCAL 519 POLITICAL	)	AF# 1391
ACTION COMMITTEE, and PHIL	)	
TRUCKS JR as treasurer;	)	

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on April 27, 2005 the Commission took the following actions on the Reason To Believe Recommendation - 2004 Year End Report for the Administrative Fines Program as recommended in the Reports Analysis Division's Memorandum dated April 21, 2005, on the following committees:

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AF#1343 Decided by a vote of 5-0 to: (1) find reason to believe that MAC COLLINS FOR SENATE, and WANDA TSCHUDY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1344 Decided by a vote of 5-0 to: (1) find reason to believe that JOHN KENNEDY FOR US SENATE INC, and WILLIAM C POTTER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1345 Decided by a vote of 5-0 to: (1) find reason to believe that CHASE COMMITTEE, and NAZMUL HUQ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1346 Decided by a vote of 5-0 to: (1) find reason to believe that AL GREEN FOR CONGRESS, and WILLIAM A LAWSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1348 Decided by a vote of 5-0 to: (1) find reason to believe that GARY NOLAN FOR PRESIDENT, and STEPHEN L DASBACH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1349 Decided by a vote of 5-0 to: (1) find reason to believe that CAMPBELL FOR SENATE, and CHARLES P ZAHL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated

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on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1350 Decided by a vote of 5-0 to: (1) find reason to believe that SITTER FOR CONGRESS, and BRAD TAFOYA OF BROWN WHEELDON TAFOYA & as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1352 Decided by a vote of 5-0 to: (1) find reason to believe that CHRIS JENNINGS FOR CONGRESS, and SUSAN K FLYNN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1353 Decided by a vote of 5-0 to: (1) find reason to believe that SAULL FOR SENATE, and ALICE THORNTON STANLEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1354 Decided by a vote of 5-0 to: (1) find reason to believe that CLAY FOR CONGRESS.COM, and Thomas Rogers as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

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AF#1356 Decided by a vote of 5-0 to: (1) find reason to believe that SCOTT FOR CONGRESS, and STEPHEN R FURR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1358 Decided by a vote of 5-0 to: (1) find reason to believe that JOHN MCKINNIS FOR CONGRESS INC, and WILLIAM L CALLAHAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1359 Decided by a vote of 5-0 to: (1) find reason to believe that FRIENDS OF PAUL DEWEESE FOR CONGRESS, and KEVIN BROWNLOW as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1360 Decided by a vote of 5-0 to: (1) find reason to believe that STEVEN REIFMAN FOR CONGRESS, and Glazer, Andrew as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1361 Decided by a vote of 5-0 to: (1) find reason to believe that SMITH FOR CONGRESS LLC, and HENRY F LUEPKE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1362 Decided by a vote of 5-0 to: (1) find reason to believe that FRIENDS OF JEFF SMITH, and NICK ADAMS as treasurer violated 2 U.S.C. 434(a) and make a

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preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1363 Decided by a vote of 5-0 to: (1) find reason to believe that STEPHANIE SUMMERS O'NEAL FOR US CONGRESS, and DEBORAH JOHNSON THORNTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1364 Decided by a vote of 5-0 to: (1) find reason to believe that WHIT FOR CONGRESS, and JENNIFER B PHILLIPS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1366 Decided by a vote of 5-0 to: (1) find reason to believe that JAMES A GARNER CONGRESSIONAL COMMITTEE, and LOUIS M EUSTACHE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1367 Decided by a vote of 5-0 to: (1) find reason to believe that FLEMING FOR CONGRESS 2004, and NEIL J MCCARTHY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1368 Decided by a vote of 5-0 to: (1) find reason to believe that HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE, and GEORGE L ESPADA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate

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Federal Election Commission  
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mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1369 Decided by a vote of 5-0 to: (1) find reason to believe that FRIENDS OF JEFF SEEMANN FOR CONGRESS, and Chaney, Michael as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1370 Decided by a vote of 5-0 to: (1) find reason to believe that JOHN MCCONNELL WOLFE JR FOR CONGRESS, and ALBERT F TEAGUE JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1371 Decided by a vote of 5-0 to: (1) find reason to believe that CHRISTENSEN 4 CONGRESS, and LAURA BESKAR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1374 Decided by a vote of 5-0 to: (1) find reason to believe that STACE WILLIAMS FOR US CONGRESS, and CHARLES WADE DARTER JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

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AF#1376 Decided by a vote of 5-0 to: (1) find reason to believe that COMMITTEE TO ELECT WILLIAM (WILLIE) VADEN FOR CONGRESS, and WILLIAM ROSS VADEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1377 Decided by a vote of 5-0 to: (1) find reason to believe that SOCAS FOR CONGRESS, and ANDREW T O'DELL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1379 Decided by a vote of 5-0 to: (1) find reason to believe that AMERICANS FOR DEMOCRATIC ACTION INC POLITICAL ACTION COMMITTEE, and Dulk Jacobs, Valerie as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1380 Decided by a vote of 5-0 to: (1) find reason to believe that EMPIRE DISTRICT ELECTRIC COMPANY POLITICAL ACTION COMMITTEE, and JAY WILLIAMS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1381 Decided by a vote of 5-0 to: (1) find reason to believe that INTERNATIONAL CHIROPRACTORS ASSOCIATION-POLITICAL ACTION COMMITTEE, and TIMOTHY E MENG as treasurer violated 2 U.S.C. 434(a) and make

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a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1382 Decided by a vote of 5-0 to: (1) find reason to believe that MCKENNA LONG AND ALDRIDGE LLP POLITICAL ACTION COMMITTEE, and EDGAR H SIMS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1383 Decided by a vote of 5-0 to: (1) find reason to believe that METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE, and DEBORAH J ARVESEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1384 Decided by a vote of 5-0 to: (1) find reason to believe that SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC), and JOHN W GRAY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1385 Decided by a vote of 5-0 to: (1) find reason to believe that U S IMMIGRATION REFORM PAC, and WILLIAM W CHIP as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1387 Decided by a vote of 5-0 to: (1) find reason to believe that SOUTHEAST ANESTHESIA ASSOCIATES POLITICAL ACTION COMMITTEE, and H ARTHUR MCCULLOCH MD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

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(2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1388 Decided by a vote of 5-0 to: (1) find reason to believe that COLONIAL BANCGROUP INC FEDERAL POLITICAL ACTION COMMITTEE (COLONIAL FED PAC), and GLENDA ALLRED as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1389 Decided by a vote of 5-0 to: (1) find reason to believe that CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC), and Arthur R. Collins as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1390 Decided by a vote of 5-0 to: (1) find reason to believe that INDEPENDENT ACTION INC, and RALPH SANTORA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1391 Decided by a vote of 5-0 to: (1) find reason to believe that PLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE, and PHIL TRUCKS JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

Attest:

April 27 2005  
 Date

Mary W. Dove  
 Mary W. Dove  
 Secretary of the Commission

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**WESTERN  
UNION.**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES  
TO: DULK JACOBS, VALERIE  
AMERICANS FOR DEMOCRATIC ACTION INC POLI  
1625 K ST NW STE 210  
WASHINGTON DC 20006-1611

FEDERAL ELECTION COMMISSION  
DAYNA BROWN  
999 E ST NW # 709  
WASHINGTON DC 20463

APRIL 28, 2005

DULK JACOBS, VALERIE  
AMERICANS FOR DEMOCRATIC ACTION INC POLI  
1625 K STREET NW SUITE 210  
WASHINGTON DC 20006

CO0112680  
AF#: 1379

DEAR DULK JACOBS, VALERIE:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE A YEAR END REPORT OF RECEIPTS AND DISBURSEMENTS EVERY CALENDAR YEAR. THIS REPORT, COVERING THE PERIOD THROUGH DECEMBER 31ST, SHALL BE FILED NO LATER THAN JANUARY 31ST. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT. RECORDS AT THE FEDERAL ELECTION COMMISSION ("FEC") INDICATE THAT THIS REPORT WAS FILED ON 02/18/2005, 18 DAYS LATE.

THE ACT WAS FURTHER AMENDED IN 1999 TO PERMIT THE FEC TO IMPOSE CIVIL MONEY PENALTIES FOR VIOLATIONS OF THE REPORTING REQUIREMENTS OF 2 U.S.C. 434(A). 2 U.S.C. 437G(A)(4). ON 04/27/2005, THE FEC FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT AMERICANS FOR DEMOCRATIC ACTION INC POLI AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE JANUARY 31ST. BASED ON THE FEC'S SCHEDULES OF CIVIL MONEY PENALTIES AT 11 C.F.R. 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE IS \$115. IT IS DUE BY 06/06/2005 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE  
LEVEL OF ACTIVITY: \$1129  
NUMBER OF DAYS LATE: 18  
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 0

TO PAY THE CALCULATED CIVIL MONEY PENALTY  
TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED REMITTANCE AND YOUR PAYMENT TO THE FEC AT THE ADDRESS ON PAGE 3.

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**WESTERN  
UNION.**
**WESTERN UNION COMMERCIAL SERVICES**

UPON RECEIPT OF YOUR PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY, YOU MUST SUBMIT A WRITTEN RESPONSE, INCLUDING THE AF# FOUND ON PAGE ONE, TO THE FEC'S OFFICE OF ADMINISTRATIVE REVIEW, 999 E STREET, NW, WASHINGTON, DC 20463. YOUR RESPONSE MUST BE RECEIVED BY 06/06/2005. YOUR WRITTEN RESPONSE MUST INCLUDE THE REASON(S) WHY YOU ARE CHALLENGING THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY. THE FEC WILL ONLY CONSIDER CHALLENGES THAT ARE BASED ON A FACTUAL ERROR, MISCALCULATION OF THE CALCULATED CIVIL MONEY PENALTY BY THE FEC, OR THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES THAT PERSISTED FOR MORE THAN 48 HOURS THAT WERE BEYOND YOUR CONTROL AND PREVENTED YOU FROM FILING THE REPORT IN A TIMELY MANNER. YOUR RESPONSE MUST INCLUDE THE FACTUAL BASIS SUPPORTING THE REASON(S) AND SUPPORTING DOCUMENTATION. THE FEC STRONGLY ENCOURAGES THAT DOCUMENTS BE SUBMITTED IN THE FORM OF AFFIDAVITS OR DECLARATIONS. EXAMPLES OF CIRCUMSTANCES THAT WILL NOT BE CONSIDERED EXTRAORDINARY INCLUDE, BUT ARE NOT LIMITED TO, NEGLIGENCE, PROBLEMS WITH VENDORS OR CONTRACTORS, STAFF ILLNESS, COMPUTER FAILURES AND SIMILAR CIRCUMSTANCES. 11 C.F.R. 111.35(B)(1)(III) AND (4).

YOUR FAILURE TO RAISE AN ARGUMENT IN A TIMELY FASHION DURING THE ADMINISTRATIVE PROCESS SHALL BE DEEMED A WAIVER OF YOUR RIGHT TO PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2 U.S.C. 437G. 11 C.F.R. 111.38.

IF YOU INTEND TO BE REPRESENTED BY COUNSEL, PLEASE ADVISE THE OFFICE OF ADMINISTRATIVE REVIEW. YOU SHOULD PROVIDE, IN WRITING, THE NAME, ADDRESS AND TELEPHONE NUMBER OF YOUR COUNSEL AND AUTHORIZE COUNSEL TO RECEIVE NOTIFICATIONS AND COMMUNICATIONS RELATING TO THIS CHALLENGE AND IMPOSITION OF THE CALCULATED CIVIL MONEY PENALTY.

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A CHALLENGE

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE, THE FEC WILL ASSUME THAT THE PRECEDING FACTUAL ALLEGATIONS ARE TRUE AND MAKE A FINAL DETERMINATION THAT AMERICANS FOR DEMOCRATIC ACTION INC POLI AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) AND ASSESS A CIVIL MONEY PENALTY.

UNPAID CIVIL MONEY PENALTIES ASSESSED THROUGH THE ADMINISTRATIVE FINE REGULATIONS WILL BE SUBJECT TO THE DEBT COLLECTION ACT OF 1982 ("DCA") AS AMENDED BY THE DEBT COLLECTION IMPROVEMENT ACT OF 1996, 31 U.S.C. 3701 ET SEQ. THE FEC MAY TAKE ANY AND ALL APPROPRIATE ACTION AUTHORIZED AND REQUIRED BY THE DCA, AS AMENDED, INCLUDING TRANSFER TO THE U.S. DEPARTMENT OF THE TREASURY FOR COLLECTION. 11 C.F.R. 111.45.

THIS MATTER WAS GENERATED BASED ON INFORMATION ASCERTAINED BY THE FEC IN THE NORMAL COURSE OF CARRYING OUT ITS SUPERVISORY RESPONSIBILITIES. 2 U.S.C. 437G(A)(2). IT WILL REMAIN CONFIDENTIAL IN ACCORDANCE WITH 2 U.S.C. 437G(A)(4)(B) AND 437G(A)(12)(A) UNTIL IT IS PLACED ON THE PUBLIC RECORD IN ACCORDANCE WITH 11 C.F.R. 111.42, UNLESS YOU NOTIFY THE FEC IN WRITING THAT YOU WISH THE MATTER TO BE MADE PUBLIC.

ADDITIONAL INFORMATION ON THE FEC'S ADMINISTRATIVE FINE PROGRAM.



WESTERN UNION COMMERCIAL SERVICES

INCLUDING THE FINAL REGULATIONS, IS LOCATED AT THE FEC'S WEBSITE AT WWW.FEC.GOV. IF YOU HAVE QUESTIONS REGARDING THE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY, PLEASE CONTACT DAYNA C. BROWN IN THE REPORTS ANALYSIS DIVISION AT OUR TOLL FREE NUMBER (800)424-9530 (AT THE PROMPT, PRESS 5) OR (202)694-1130. IF YOU HAVE QUESTIONS REGARDING THE SUBMISSION OF A CHALLENGE, PLEASE CONTACT THE OFFICE OF ADMINISTRATIVE REVIEW AT OUR TOLL FREE NUMBER (800)424-9530 (PRESS 0, THEN EXT. 1660) OR (202)694-1660.

SINCERELY,

SCOTT E. THOMAS  
CHAIRMAN

\* \* \* \* \*  
ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$115 FOR THE 2004 YEAR-END REPORT.

PLEASE MAIL THIS REMITTANCE WITH A CHECK OR MONEY ORDER MADE PAYABLE TO THE FEDERAL ELECTION COMMISSION TO THE FOLLOWING ADDRESS:  
FEDERAL ELECTION COMMISSION  
P.O. BOX 952182  
ST. LOUIS, MO 63195-2182

IF YOU CHOOSE TO SEND YOUR REMITTANCE AND PAYMENT BY COURIER OR OVERNIGHT DELIVERY, PLEASE USE THIS ADDRESS:  
U.S. BANK - GOVERNMENT LOCKBOX  
FEC #952182  
1005 CONVENTION PLAZA  
ST. LOUIS, MO 63101

THE REMITTANCE AND YOUR PAYMENT ARE DUE BY 06/06/2005. UPON RECEIPT OF YOUR REMITTANCE AND PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT  
-----

FOR: AMERICANS FOR DEMOCRATIC ACTION INC POLI

FEC ID#: C00112680

AF#: 1379

PAYMENT DUE DATE: 06/06/2005

PAYMENT AMOUNT DUE: \$115

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

June 16, 2005 7: A 9: 32  
2005 JUN 17

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR *[Signature]*

ROBERT J. COSTA *[Signature]*  
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON *[Signature]*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: ADMINISTRATIVE FINES FINAL DETERMINATION  
RECOMMENDATION FOR THE 2004 YEAR END REPORT

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at the RTB stage for failure to file the 2004 Year End Report. The first list represents committees that have paid the civil money penalties and the second list represents the committees that have not paid. The committees that have not paid have been given at least forty (40) days from the date of the RTB notification to remit payment.

In accordance with 11 C.F.R. §111.34 and 11 C.F.R. §111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information one of the committees that paid the fine assessed at RTB will require a refund. Scott for Congress (AF #1356) filed the Year End Report after the RTB finding. The report disclosed a lower level of activity than reported at the time of RTB, thereby lowering the civil money penalty from \$2,700 to \$250. The committee paid the civil money penalty assessed at RTB; we will therefore issue a refund of \$2,450.

Additionally, the civil money penalties for two committees have been reduced to \$0. Saull for Senate (AF #1353) and John McKinnis for Congress Inc. (AF #1358) each filed the Year End Report after the RTB finding, disclosing zero activity.

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**RAD Recommendation**

- (1) Make final determinations that the political committees and their treasurers on the attached lists violated 2 U.S.C. §434(a) and assess the civil money penalties so indicated.
- (2) Send the appropriate mailgrams.
- (3) Issue a \$2,450 refund to Scott for Congress (AF #1356).

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**COMMITTEES THAT HAVE PAID**

FEDERAL ELECTION COMMISSION 2005-2006  
FINAL DETERMINATION CIRCULATION REPORT  
PAID

AF #	CANDIDATE NAME	RECEIPT DATE	COMMITTEE NAME	COMMITTEE ID	TREASURER	LEVEL OF ACTIVITY	CIVIL MONEY PENALTY	STATE	DATE PAID	PREVIOUS VIOLATIONS	REPORT TYPE	AMOUNT PAID
AF1343	MAC COLLINS FOR SENATE COLLINS, MICHAEL ALLEN (MAC)	02/07/2005 04/27/2005		C00387340	WANDA TSCHUDY	\$135,999	\$1,475	GA	06/01/2005	0	2004 YEAR-END	\$1,475
AF1344	JOHN KENNEDY FOR US SENATE INC. KENNEDY, JOHN NEELY	02/18/2005 04/27/2005		C00396044	WILLIAM C POTTER	\$46,040	\$560	LA	05/09/2005	0	2004 YEAR-END	\$560
AF1345	CHASE COMMITTEE CHASE, KENNETH G	02/10/2005 04/27/2005		C00399527	NAZMUL HUQ	\$6,710	\$100	MA	06/10/2005	0	2004 YEAR-END	\$100
AF1349	CAMPBELL FOR SENATE CAMPBELL, TOM	Not Filed 04/27/2005		C00350942	CHARLES P ZAHL	\$86,664 (est)	\$5,250	CA	06/10/2005	2	2004 YEAR-END	\$5,250
AF1350	SITTER FOR CONGRESS SITTER, DOUGLAS RICHARD	Not Filed 04/06/2005 04/27/2005		C00392027	BRAD TAFOYA OF BROWN WHEELDON TAFOYA & \$275	\$312		CO	05/11/2005	1	2004 YEAR-END	\$312
AF1354	CLAY FOR CONGRESS.COM CLAY, CHARLES COMMANDER	Not Filed 03/21/2005 04/27/2005		C00388280	Thomas Rogers	\$3,323	\$250	GA	06/06/2005	0	2004 YEAR-END	\$250
AF1356	SCOTT FOR CONGRESS SCOTT, JOHN WYETH	Not Filed 04/21/2005 04/27/2005		C00403659	STEPHEN R FURR	\$2,222	\$250	LA	06/07/2005	0	2004 YEAR-END	\$2,700
AF1359	FRIENDS OF PAUL DEWEESE FOR CONGRESS DEWEESE, PAUL	Not Filed 05/04/2005 04/27/2005		C00386623	KEVIN BROWNLOW	\$87,045	\$3,500	MI	06/07/2005	0	2004 YEAR-END	\$3,500
AF1361	SMITH FOR CONGRESS LLC SMITH, MARK	Not Filed 05/11/2005 04/27/2005		C00389759	HENRY F LUEPKE	\$1,268	\$250	MO	06/09/2005	0	2004 YEAR-END	\$250
AF1376	COMMITTEE TO ELECT WILLIAM (WILLIE) VADEN FOR CONGRESS VADEN, WILLIAM R	Not Filed 04/27/2005		C00394692	WILLIAM ROSS VADEN	\$16,701 (est)	\$500	TX	06/06/2005	0	2004 YEAR-END	\$500



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**COMMITTEES THAT HAVE NOT PAID**

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FEDERAL ELECTION COMMISSION 2005-2006  
FINAL DETERMINATION CIRCULATION REPORT

AF #	CANDIDATE NAME	RECEIPT DATE	RTB DATE	DAYS LATE	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	RTB PENALTY	LEVEL OF ACTIVITY	DAYS SINCE RTB	PREVIOUS VIOLATIONS	REPORT TYPE
NOT PAID													
FINAL CIVIL MONEY PENALTY													

AF1346	AL GREEN FOR CONGRESS GREEN, ALEXANDER	03/01/2005	04/27/2005	29		C00396028	WILLIAM A LAWSON	TX	\$3,300	\$75,472	49	0	2004 YEAR-END \$3,300
AF1348	GARY NOLAN FOR PRESIDENT NOLAN, GARY P.	Not Filed	04/27/2005			C00384370	STEPHEN L DASBACH	00	\$750	\$22,723 (est)	49	2	2004 YEAR-END \$750
AF1352	CHRIS JENNINGS FOR CONGRESS JENNINGS, CHRISTINE	03/08/2005	Not Filed			C00398305	SUSAN K FLYNN	FL	\$250	\$3,340	49	0	2004 YEAR-END \$250
AF1353	SAULL FOR SENATE SAULL, KAREN	05/13/2005	Not Filed			C00401398	ALICE THORNTON STANLEY	FL	\$11,500	\$0	49	0	2004 YEAR-END \$0
AF1358	JOHN MCKINNIS FOR CONGRESS INC MCKINNIS, JOHN R II	04/28/2005	Not Filed			C00391268	WILLIAM L CALLAHAN	MD	\$900	\$0	49	0	2004 YEAR-END \$0
AF1360	STEVEN REIFMAN FOR CONGRESS REIFMAN, STEVEN W.	03/21/2005	Not Filed			C00396275	Glazer, Andrew	MI	\$250	\$2,746	49	0	2004 YEAR-END \$250
AF1362	FRIENDS OF JEFF SMITH SMITH, JEFF	Not Filed	04/27/2005			C00390914	NICK ADAMS	MO	\$5,500	\$186,159 (est)	49	0	2004 YEAR-END \$5,500

FEDERAL ELECTION COMMISSION 2005-2006  
FINAL DETERMINATION CIRCULATION REPORT  
NOT PAID

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	REPORT TYPE
RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY	PREVIOUS VIOLATIONS	FINAL CIVIL MONEY PENALTY	
RTB DATE	RTB PENALTY	DAYS SINCE RTB			
AF1363	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS SUMMERS-O'NEAL, STEHPANIE Not Filed	C00395863	DEBORAH JOHNSON THORNTON \$110,474 (est) 49	MS	2004 YEAR-END
	04/27/2005	\$7,875			3
AF1364	WHIT FOR CONGRESS WHITFIELD, ROBERT EDWARD	C00395210	JENNIFER B PHILLIPS \$1,083 49	NC	2004 YEAR-END
	04/27/2005	\$250			0
AF1366	JAMES A GARNER CONGRESSIONAL COMMITTEE GARNER, JAMES A Not Filed	C00392506	LOUIS M EUSTACHE \$135,673 (est) 49	NY	2004 YEAR-END
	04/27/2005	\$4,500			0
AF1367	FLEMING FOR CONGRESS 2004 FLEMING, JOHN J 06/03/2005	C00391615	NEIL J MCCARTHY \$352 49	NY	2004 YEAR-END
	04/27/2005	\$1,125			1
AF1368	HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE HIRSCHFELD, ABRAHAM Not Filed	C00393538	GEORGE L ESPADA \$789,293 (est) 49	NY	2004 YEAR-END
	04/27/2005	\$22,000			4
AF1369	FRIENDS OF JEFF SEEMANN FOR CONGRESS SEEMANN, JEFF Not Filed	C00399808	JEFF SEEMANN \$67,936 (est) 49	OH	2004 YEAR-END
	04/27/2005	\$3,375			1
AF1371	CHRISTENSEN 4 CONGRESS CHRISTENSEN, GENE Not Filed	C00393462	LAURA BESKAR \$110,694 (est) 49	TX	2004 YEAR-END
	04/27/2005	\$4,500			0
AF1374	STACE WILLIAMS FOR US CONGRESS WILLIAMS, STACE LAWRENCE Not Filed	C00385047	CHARLES WADE DARTER JR \$30,537 (est) 49	TX	2004 YEAR-END
	04/27/2005	\$1,350			2

25092582276

FEDERAL ELECTION COMMISSION 2005-2006  
FINAL DETERMINATION CIRCULATION REPORT  
NOT PAID

AF #	CANDIDATE NAME	RECEIPT DATE	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	PREVIOUS VIOLATIONS	REPORT TYPE
		RTB DATE	DAYS LATE	LEVEL OF ACTIVITY	DAYS SINCE RTB		FINAL CIVIL MONEY PENALTY	

AF1377	SOCAS FOR CONGRESS SOCAS, JAMES ROBERT Not Filed	04/27/2005		C00399345	ANDREW T O'DELL \$458,073 (est) 49	VA	1	2004 YEAR-END \$11,875
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AF1379	AMERICANS FOR DEMOCRATIC ACTION INC POLITICAL ACTION COMMITTEE	02/18/2005	18	C00112680	\$1,129	DC	0	2004 YEAR-END \$115
		04/27/2005			Dulk Jacobs, Valerie 49			

AF1381	INTERNATIONAL CHIROPRACTORS ASSOCIATION-POLITICAL ACTION COMMITTEE	02/16/2005	16	C00329920	\$28,082	VA	0	2004 YEAR-END \$520
		04/27/2005			GARY L WALSEMANN DC FICA 49			

AF1383	METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE	02/14/2005	14	C00207589	\$285	CA	1	2004 YEAR-END \$118
		04/27/2005			DEBORAH J ARVESEN 49			

AF1384	SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC)	02/24/2005	24	C00254656	\$952	FL	1	2004 YEAR-END \$181
		04/27/2005			JOHN W GRAY 49			

AF1385	U S IMMIGRATION REFORM PAC	02/22/2005	22	C00253906	\$3,275	DC	0	2004 YEAR-END \$135
		04/27/2005			WILLIAM W CHIP 49			

AF1389	CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE (CBC-PAC)	Not Filed		C00147512	\$136,080 (est) 49	DC	5	2004 YEAR-END \$10,125
		04/27/2005			Arthur R. Collins 49			

AF1390	INDEPENDENT ACTION INC	05/18/2005	Not Filed	C00139741	\$17,404	DC	1	2004 YEAR-END \$625
		04/27/2005			RALPH SANTORA 49			



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Friday, June 17, 2005 12:00

BALLOT DEADLINE: Wednesday, June 22, 2005 4:00

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

SUBJECT: **Administrative Fines Final Determination Recommendation For The 2004 Year End Report. Memorandum from the Assistant Staff Director, Reports Analysis Division dated June 17, 2005.**

- ( ) I approve the recommendation(s)
- ( ) I object to the recommendation(s)
- ( ) I approve the recommendations except those following to which I object (please insert AF#)  
\_\_\_\_\_  
\_\_\_\_\_
- ( ) I approve the recommendations except those following in which I abstain (please insert AF#)  
\_\_\_\_\_  
\_\_\_\_\_
- ( ) I approve the recommendations except those following in which I am recused (please insert AF#)  
\_\_\_\_\_  
\_\_\_\_\_
- ( ) I am not voting on this tally.

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.

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

25092582277

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Administrative Fines Final Determination	)	
Recommendation for the 2004 Year End	)	
Report.:	)	
GARY NOLAN FOR PRESIDENT, and	)	AF# 1348
STEPHEN L DASBACH as treasurer;	)	
CHRIS JENNINGS FOR CONGRESS, and	)	AF# 1352
SUSAN K FLYNN as treasurer;	)	
SAULL FOR SENATE, and ALICE	)	AF# 1353
THORNTON STANLEY as treasurer;	)	
JOHN MCKINNIS FOR CONGRESS INC,	)	AF# 1358
and WILLIAM L CALLAHAN as treasurer;	)	
	)	
STEVEN REIFMAN FOR CONGRESS,	)	AF# 1360
and Glazer, Andrew as treasurer;	)	
FRIENDS OF JEFF SMITH, and NICK	)	AF# 1362
ADAMS as treasurer;	)	
STEPHANIE SUMMERS O'NEAL FOR	)	AF# 1363
US CONGRESS, and DEBORAH	)	
JOHNSON THORNTON as treasurer;	)	
WHIT FOR CONGRESS, and JENNIFER	)	AF# 1364
B PHILLIPS as treasurer;	)	
JAMES A GARNER CONGRESSIONAL	)	AF# 1366
COMMITTEE, and LOUIS M EUSTACHE	)	
as treasurer;	)	
FLEMING FOR CONGRESS 2004, and	)	AF# 1367
NEIL J MCCARTHY as treasurer;	)	

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Federal Election Commission  
 Certification for Administrative Fines  
 June 23, 2005

Page 2

HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE, and GEORGE L ESPADA as treasurer;	)	AF# 1368
FRIENDS OF JEFF SEEMANN FOR CONGRESS, and JEFF SEEMANN as treasurer;	)	AF# 1369
CHRISTENSEN 4 CONGRESS, and LAURA BESKAR as treasurer;	)	AF# 1371
STACE WILLIAMS FOR US CONGRESS, and CHARLES WADE DARTER JR as treasurer;	)	AF# 1374
SOCAS FOR CONGRESS, and ANDREW T O'DELL as treasurer;	)	AF# 1377
AMERICANS FOR DEMOCRATIC ACTION INC POLITICAL ACTION COMMITTEE, and Dulk Jacobs, Valerie as treasurer;	)	AF# 1379
METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE, and DEBORAH J ARVESEN as treasurer;	)	AF# 1383
SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC), and JOHN W GRAY as treasurer;	)	AF# 1384
U S IMMIGRATION REFORM PAC, and WILLIAM W CHIP as treasurer;	)	AF# 1385
CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC), and Arthur R. Collins as treasurer;	)	AF# 1389
INDEPENDENT ACTION INC, and RALPH SANTORA as treasurer;	)	AF# 1390

25092582279

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on June 23, 2005 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the 2004 Year End Report. as recommended in the Reports Analysis Division's Memorandum dated June 23, 2005, on the following committees:

AF#1348 Decided by a vote of 6-0 to: (1) make a final determination that GARY NOLAN FOR PRESIDENT, and STEPHEN L DASBACH as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1352 Decided by a vote of 6-0 to: (1) make a final determination that CHRIS JENNINGS FOR CONGRESS, and SUSAN K FLYNN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1353 Decided by a vote of 6-0 to: (1) make a final determination that SAULL FOR SENATE, and ALICE THORNTON STANLEY as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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Federal Election Commission  
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June 23, 2005

Page 4

AF#1358 Decided by a vote of 6-0 to: (1) make a final determination that JOHN MCKINNIS FOR CONGRESS INC, and WILLIAM L CALLAHAN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1360 Decided by a vote of 6-0 to: (1) make a final determination that STEVEN REIFMAN FOR CONGRESS, and Glazer, Andrew as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1362 Decided by a vote of 6-0 to: (1) make a final determination that FRIENDS OF JEFF SMITH, and NICK ADAMS as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1363 Decided by a vote of 6-0 to: (1) make a final determination that STEPHANIE SUMMERS O'NEAL FOR US CONGRESS, and DEBORAH JOHNSON THORNTON as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1364 Decided by a vote of 6-0 to: (1) make a final determination that WHIT FOR CONGRESS, and JENNIFER B PHILLIPS as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1366 Decided by a vote of 6-0 to: (1) make a final determination that JAMES A GARNER CONGRESSIONAL COMMITTEE, and LOUIS M EUSTACHE as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1367 Decided by a vote of 6-0 to: (1) make a final determination that FLEMING FOR CONGRESS 2004, and NEIL J MCCARTHY as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate

25092582281

Federal Election Commission  
Certification for Administrative Fines  
June 23, 2005

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mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1368 Decided by a vote of 6-0 to: (1) make a final determination that HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE, and GEORGE L ESPADA as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1369 Decided by a vote of 6-0 to: (1) make a final determination that FRIENDS OF JEFF SEEMANN FOR CONGRESS, and JEFF SEEMANN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1371 Decided by a vote of 6-0 to: (1) make a final determination that CHRISTENSEN 4 CONGRESS, and LAURA BESKAR as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1374 Decided by a vote of 6-0 to: (1) make a final determination that STACE WILLIAMS FOR US CONGRESS, and CHARLES WADE DARTER JR as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1377 Decided by a vote of 6-0 to: (1) make a final determination that SOCAS FOR CONGRESS, and ANDREW T O'DELL as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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Federal Election Commission  
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June 23, 2005

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AF#1379 Decided by a vote of 6-0 to: (1) make a final determination that AMERICANS FOR DEMOCRATIC ACTION INC POLITICAL ACTION COMMITTEE, and Dulk Jacobs, Valerie as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1383 Decided by a vote of 6-0 to: (1) make a final determination that METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE, and DEBORAH J ARVESEN as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1384 Decided by a vote of 6-0 to: (1) make a final determination that SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC), and JOHN W GRAY as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1385 Decided by a vote of 6-0 to: (1) make a final determination that U S IMMIGRATION REFORM PAC, and WILLIAM W CHIP as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1389 Decided by a vote of 6-0 to: (1) make a final determination that CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC), and Arthur R. Collins as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1390 Decided by a vote of 6-0 to: (1) make a final determination that INDEPENDENT ACTION INC, and RALPH SANTORA as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

25092582283

Federal Election Commission  
Certification for Administrative Fines  
June 23, 2005

Attest:

June 23, 2005  
Date

Mary W. Dove  
Mary W. Dove  
Secretary of the Commission

25092582284



CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES  
 TO:DULK JACOBS, VALERIE  
 AMERICANS FOR DEMOCRATIC ACTION INC POLI  
 1625 K ST NW STE 210  
 WASHINGTON DC 20006-1611

FEDERAL ELECTION COMMISSION  
 DAYNA BROWN  
 999 E ST NW # 709  
 WASHINGTON DC 20463

JUNE 24, 2005

DULK JACOBS, VALERIE  
 AMERICANS FOR DEMOCRATIC ACTION INC POLI  
 1625 K STREET NW SUITE 210  
 WASHINGTON DC 20006

C00112680  
 AF# 1379

DEAR DULK JACOBS, VALERIE,

ON 04/27/2005, THE FEDERAL ELECTION COMMISSION ("FEC") FOUND REASON TO BELIEVE ("RTB") THAT AMERICANS FOR DEMOCRATIC ACTION INC POLI AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO TIMELY FILE THE 2004 YEAR-END REPORT. BY MAILGRAM DATED 04/28/2005, THE FEC SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE OF \$115 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43. WITHIN 40 DAYS OF THE FEC'S RTB FINDING, YOU WERE REQUIRED TO EITHER TRANSMIT PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE CHALLENGING EITHER THE RTB FINDING OR THE CALCULATED CIVIL MONEY PENALTY.

THE FEC DID NOT RECEIVE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR YOUR WRITTEN RESPONSE WITHIN THE TIME PERMITTED. THEREFORE, THE FEC MADE A FINAL DETERMINATION ON 06/23/2005 THAT YOU, AS TREASURER, AND AMERICANS FOR DEMOCRATIC ACTION INC POLI VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$115 IN ACCORDANCE WITH 11 C.F.R. 111.43. THE CIVIL MONEY PENALTY IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE  
 LEVEL OF ACTIVITY: \$1129

NUMBER OF PREVIOUS VIOLATIONS: 0      NUMBER OF DAYS LATE: 18

TO PAY THE CIVIL MONEY PENALTY

TO PAY THE CIVIL MONEY PENALTY, SEND THE ENCLOSED FORM AND YOUR PAYMENT TO THE ADDRESS ON PAGE 3 WITHIN 30 DAYS OF RECEIPT OF THIS LETTER.


**WESTERN  
UNION.**

## WESTERN UNION COMMERCIAL SERVICES

**IF YOU DO NOT PAY THE CIVIL MONEY PENALTY**

UNPAID CIVIL MONEY PENALTIES ASSESSED THROUGH THE ADMINISTRATIVE FINE REGULATIONS WILL BE SUBJECT TO THE DEBT COLLECTION ACT OF 1982 ("DCA"), AS AMENDED BY THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 ("DCIA"), 31 U.S.C. 3701 ET SEQ. IF YOU DO NOT PAY THIS DEBT WITHIN 30 DAYS (OR FILE A WRITTEN PETITION TO A FEDERAL DISTRICT COURT - SEE BELOW), THE FEC WILL TRANSFER THE DEBT TO THE U.S. DEPARTMENT OF THE TREASURY ("TREASURY") FOR COLLECTION. WITHIN 5 DAYS OF ITS TRANSFER TO TREASURY, TREASURY WILL CONTACT THE DEBTOR AND REQUEST PAYMENT. TREASURY CURRENTLY CHARGES A FEE OF 18% OF THE CIVIL MONEY PENALTY FOR ITS COLLECTION SERVICES. THE FEE WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY THAT YOU OWE. SHOULD TREASURY ATTEMPTS FAIL, TREASURY WILL TRANSFER THE DEBT TO A PRIVATE COLLECTION AGENCY ("PCA"). IF THE DEBT IS REFERRED TO A PCA, THE TREASURY AND PCA COLLECT A FEE OF 28% OF THE CIVIL MONEY PENALTY AMOUNT WHICH WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY. IF THE DEBT REMAINS UNPAID, TREASURY MAY RECOMMEND THAT THE FEC REFER THE MATTER TO THE DEPARTMENT OF JUSTICE FOR LITIGATION.

**IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION OR CIVIL MONEY PENALTY**

IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION, YOU SHOULD SUBMIT A WRITTEN PETITION, WITHIN 30 DAYS OF RECEIPT OF THIS LETTER, TO THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT IN WHICH THE COMMITTEE OR YOU RESIDE, OR TRANSACT BUSINESS, REQUESTING THAT THE FINAL DETERMINATION BE MODIFIED OR SET ASIDE. SEE 2 U.S.C. 437G(A)(4)(C)(III). YOUR FAILURE TO RAISE AN ARGUMENT IN A TIMELY FASHION DURING THE ADMINISTRATIVE PROCESS SHALL BE DEEMED A WAIVER OF THE RESPONDENT RIGHT TO PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2 U.S.C. 437G. 11 C.F.R. 111.38.

THE CONFIDENTIALITY PROVISIONS AT 2 U.S.C. 437G(A)(12) NO LONGER APPLY AND THIS MATTER IS NOW PUBLIC. THE FILE WILL BE MADE A PART OF THE PUBLIC RECORD PURSUANT TO 11 C.F.R. 111.42(B). ALTHOUGH THE FILE MUST BE PLACED ON THE PUBLIC RECORD WITHIN THIRTY (30) DAYS FROM THE DATE OF THE COMMISSION NOTIFICATION, THIS COULD OCCUR AT ANYTIME FOLLOWING CERTIFICATION OF THE COMMISSION VOTE.

IF YOU HAVE ANY QUESTIONS REGARDING THE PAYMENT OF THE CIVIL MONEY PENALTY, PLEASE CONTACT DAYNA BROWN AT FEDERAL ELECTION COMMISSION, 999 E ST., NW, WASHINGTON, DC 20463, OR ON OUR TOLL FREE NUMBER (800)424-9530 (AT THE PROMPT, PRESS 5) OR (202)694-1130.

SINCERELY,

SCOTT E. THOMAS  
CHAIRMAN

---

**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43, THE CIVIL MONEY PENALTY IS \$115 FOR THE 2004 YEAR-END REPORT.



**WESTERN  
UNION.**

WESTERN UNION COMMERCIAL SERVICES

THIS PENALTY SHOULD BE PAID BY CHECK OR MONEY ORDER MADE PAYABLE TO THE FEDERAL ELECTION COMMISSION. IT SHOULD BE SENT BY MAIL TO:

FEDERAL ELECTION COMMISSION  
PO BOX 952182  
ST. LOUIS, MO 63195-2182

IF YOU CHOOSE TO SEND YOUR PAYMENT BY COURIER OR OVERNIGHT DELIVERY, PLEASE USE THIS ADDRESS:

U.S. BANK - GOVERNMENT LOCKBOX  
FEC #952182  
1005 CONVENTION PLAZA  
ST. LOUIS, MO 63101

THE FORM AND PAYMENT ARE DUE WITHIN 30 DAYS OF RECEIPT OF THIS LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: AMERICANS FOR DEMOCRATIC ACTION INC POLI

FEC ID#: C00112680

AF#: 1379

PAYMENT AMOUNT DUE: \$115

18278576007

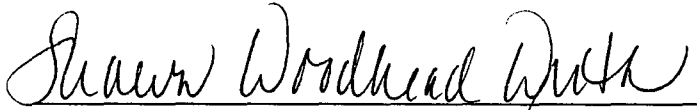
## CERTIFICATION - DEBT COLLECTION

With respect to the debts attached or transmitted with this certification, I certify the following:

1. **Valid Debts.** The debts are delinquent, valid and legally enforceable in the amounts stated. No debtor has repaid or agreed to repay the claim under a signed repayment agreement or filed for review of the claim.
2. **No Bar to Collection.** The debts are not subject to any circumstances that legally preclude or bar collection. There are no foreclosures pending with respect to any collateral securing a debt. The Agency's records do not show that any debtor owing a debt has filed for bankruptcy protection. Alternatively, the Agency can clearly establish that any automatic stay has been lifted or is no longer in effect.
3. **Due Process.** The Agency, at a minimum, has made reasonable efforts to obtain payment of the debt: demanded payment and provided the debtor with the notice and opportunities described below:
  - A. At least 30 days prior to the date of this certification, the Agency has provided, or made reasonable efforts to provide each debtor with:
    - written notice, at the debtor's most current known address, of the nature and the amount of the debt, the intention of the Agency to collect the debt through referral to Treasury, and actions that may be taken by Treasury including referral of the debt to a private collection agency and referral of the debt to the Department of Justice for litigation.
    - an opportunity to inspect and copy the records of the Agency with respect to the debt;
    - an opportunity for review within the Agency of the determination of the Agency with respect to the debt, including the opportunity to present evidence that all or part of the debt is not past-due or legally enforceable.
  - B. The Agency has considered any evidence presented by the debtor and determined that the amount of the debt is past-due and legally enforceable and there are no pending appeals of such determination.
4. **Interest and Penalties.** The Agency has complied with all of the provisions of 31 U.S.C. § 3717 and 4 C.F.R. Part 102, as well as other statutes, regulations and policies applicable to the Agency's assessment of interest, penalties and administrative costs. The Agency has mailed or hand-delivered a written notice to all debtors explaining the Agency's requirements concerning the charges.

**CERTIFICATION:** Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that to the best of my knowledge and belief, and/or based upon Agency certification, that the foregoing is true and correct. I certify that I have been delegated authority to execute this certification on behalf of the head of my agency.

September 1, 2005  
Date

  
 Signature of Certifying Official  
 Print Name: Shawn Woodhead Werth  
 Title: Director, Office of Administrative Review  
 Agency: Federal Election Commission

25092582288



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1379

DATE SCANNED 10/4/05

SCANNER NO. 1

SCAN OPERATOR S.E.G

25092582289