



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1390

DATE SCANNED 10/4/05

SCANNER NO. 1

SCAN OPERATOR S.E.G

25092582338

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2005 APR 22 A 11: 46

April 21, 2005

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON
STAFF DIRECTOR

ROBERT J. COSTA
DEPUTY STAFF DIRECTOR

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

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FEDERAL ELECTION COMMISSION 2003-2004

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Reason to Believe Circulation Report

2004 YEAR END

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

FEDERAL ELECTION COMMISSION 2003-2004

Reason to Believe Circulation Report

2004 YEAR END

AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	RECEIPT DATE	TREASURER	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
				DAYS LATE		LEVEL OF ACTIVITY			
AF01362	FRIENDS OF JEFF SMITH	MO	SMITH, JEFF						
C00390914	NICK ADAMS	\$930,796	No		0			\$5,500	
	Not Filed	\$186,159 (est)							
AF01363	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS MS		SUMMERS-O'NEAL, STEHPANIE						
C00395863	DEBORAH JOHNSON THORNTON	\$110,474	No		3			\$7,875	
	Not Filed	\$110,474 (est)							
AF01364	WHIT FOR CONGRESS	NC	WHITFIELD, ROBERT EDWARD						
C00395210	JENNIFER B PHILLIPS	\$106,915	No		0			\$250	
	Not Filed	\$1,083							
AF01366	JAMES A GARNER CONGRESSIONAL COMMITTEE NY		GARNER, JAMES A						
C00392506	LOUIS M EUSTACHE	\$678,368	No		0			\$4,500	
	Not Filed	\$135,673 (est)							
AF01367	FLEMING FOR CONGRESS 2004	NY	FLEMING, JOHN J						
C00391615	NEIL J MCCARTHY	\$171,541	No		1			\$1,125	
	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	COMMITTEE ID	TREASURER	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY	CIVIL MONEY PENALTY
AF01376	COMMITTEE TO ELECT WILLIAM VADEN FOR CONGRESS	TX	VADEN, WILLIAM R	C00394692	WILLIAM ROSS VADEN	\$100,208	No	0	Not Filed		\$16,701 (est)	\$500
AF01377	SOCAS FOR CONGRESS	VA	SOCAS, JAMES ROBERT	C00399345	ANDREW T O'DELL	\$1,832,292	No	1	Not Filed		\$458,073 (est)	\$11,875
AF01379	AMERICANS FOR DEMOCRATIC ACTION INC PAC	DC		C00112680	Dulk Jacobs, Valerie	\$104,210	No	0	02/18/2005	18	\$1,129	\$115
AF01380	EMPIRE DISTRICT ELECTRIC COMPANY PAC	MO		C00208249	JAY WILLIAMS	\$120,535	No	0	03/02/2005	30	\$6,334	\$200
AF01381	INTERNATIONAL CHIROPRACTORS ASSOCIATION-PAC	VA		C00329920	GARY WALSEMANN	\$116,397	No	0	02/16/2005	16	\$28,082	\$520

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2004 YEAR END

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

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2004 YEAR END

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AF #	COMMITTEE NAME	TREASURER	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY						
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 Thomas Rogers as treasurer;)	AF# 1354
SCOTT FOR CONGRESS, and STEPHEN R FURR as treasurer;))	AF# 1356
JOHN MCKINNIS FOR CONGRESS INC, and WILLIAM L CALLAHAN as treasurer;	) ) )	AF# 1358
FRIENDS OF PAUL DEWEESE FOR CONGRESS, and KEVIN BROWNLOW as treasurer;	) ) )	AF# 1359
STEVEN REIFMAN FOR CONGRESS, and Glazer, Andrew as treasurer;	) )	AF# 1360
SMITH FOR CONGRESS LLC, and HENRY F LUEPKE as treasurer;	) )	AF# 1361
FRIENDS OF JEFF SMITH, and NICK ADAMS as treasurer;	) )	AF# 1362
STEPHANIE SUMMERS O'NEAL FOR US CONGRESS, and DEBORAH JOHNSON THORNTON as treasurer;	) ) )	AF# 1363
WHIT FOR CONGRESS, and JENNIFER B PHILLIPS as treasurer;	) )	AF# 1364
JAMES A GARNER CONGRESSIONAL COMMITTEE, and LOUIS M EUSTACHE as treasurer;	) ) )	AF# 1366
FLEMING FOR CONGRESS 2004, and NEIL J MCCARTHY as treasurer;	) )	AF# 1367
HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE, and GEORGE L ESPADA as treasurer;	) ) )	AF# 1368
FRIENDS OF JEFF SEEMANN FOR CONGRESS, and Chaney, Michael as treasurer;	) ) )	AF# 1369
JOHN MCCONNELL WOLFE JR FOR CONGRESS, and ALBERT F TEAGUE JR as treasurer;)))	AF# 1370
CHRISTENSEN 4 CONGRESS, and LAURA BESKAR as treasurer;))	AF# 1371

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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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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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Federal Election Commission
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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.

WESTERN UNION COMMERCIAL SERVICES

CONFIRMATION OF CMGM

**TO: RALPH SANTORA
INDEPENDENT ACTION INC
1317 F ST NW STE 900
WASHINGTON DC 20004-1172**

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

APRIL 28, 2005

**RALPH SANTORA
INDEPENDENT ACTION INC
1317 F ST NW #900
WASHINGTON DC 20004**

**C00139741
AF#: 1390**

DEAR RALPH SANTORA:

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 NOT FILED WITHIN THIRTY (30) DAYS OF THE DUE DATE. YOU SHOULD FILE THIS REPORT IF YOU HAVE NOT ALREADY DONE SO.

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 INDEPENDENT ACTION INC 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 \$4375. IT IS DUE BY 06/06/2005 AND IS BASED ON THESE FACTORS:

**ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE
LEVEL OF ACTIVITY: \$89457
NUMBER OF DAYS LATE: NOT FILED
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 1**

**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.**

105738976097


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 INDEPENDENT ACTION INC 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 RT8 IS \$4375 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: INDEPENDENT ACTION INC

FEC ID#: C00139741

AF#: 1390

PAYMENT DUE DATE: 06/06/2005

PAYMENT AMOUNT DUE: \$4375

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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

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FEDERAL ELECTION COMMISSION 2005-2006
FINAL DETERMINATION CIRCULATION REPORT
PAID

AP #	COMMITTEE NAME	RECEIPT DATE	DAYS LATE	REASON TO BELIEVE DATE	COMMITTEE ID	TREASURER	STATE	DATE PAID	PREVIOUS VIOLATIONS	REPORT TYPE	AMOUNT PAID
AF1343	MAC COLLINS FOR SENATE	02/07/2005	7		C00387340	WANDA TSCHUDY	GA	06/01/2005	0	2004 YEAR-END	\$1,475
	COLLINS, MICHAEL ALLEN (MAC)	04/27/2005				\$135,999					
						\$1,475					
AF1344	JOHN KENNEDY FOR US SENATE INC.	02/18/2005	18		C00396044	WILLIAM C POTTER	LA	05/09/2005	0	2004 YEAR-END	\$560
	KENNEDY, JOHN NEELY	04/27/2005				\$46,040					
						\$560					
AF1345	CHASE COMMITTEE	02/10/2005	10		C00399527	NAZMUL HUQ	MA	06/10/2005	0	2004 YEAR-END	\$100
	CHASE, KENNETH G	04/27/2005				\$6,710					
						\$100					
AF1349	CAMPBELL FOR SENATE	Not Filed			C00350942	CHARLES P ZAHL	CA	06/10/2005	2	2004 YEAR-END	\$5,250
	CAMPBELL, TOM	04/27/2005				\$86,664 (est)					
						\$5,250					
AF1350	SITTER FOR CONGRESS	04/06/2005	Not Filed		C00392027	BRAD TAFOYA OF BROWN WHEELDON TAFOYA &	CO	05/11/2005	1	2004 YEAR-END	\$312
	SITTER, DOUGLAS RICHARD	04/27/2005				\$275					
						\$312					
AF1354	CLAY FOR CONGRESS.COM	03/21/2005	Not Filed		C00388280	Thomas Rogers	GA	06/06/2005	0	2004 YEAR-END	\$250
	CLAY, CHARLES COMMANDER	04/27/2005				\$3,323					
						\$250					
AF1356	SCOTT FOR CONGRESS	04/21/2005	Not Filed		C00403659	STEPHEN R FURR	LA	06/07/2005	0	2004 YEAR-END	\$2,700
	SCOTT, JOHN WYETH	04/27/2005				\$2,222					
						\$250					
AF1359	FRIENDS OF PAUL DEWEESE FOR CONGRESS	05/04/2005	Not Filed		C00386623	KEVIN BROWNLOW	MI	06/07/2005	0	2004 YEAR-END	\$3,500
	DEWEESE, PAUL	04/27/2005				\$87,045					
						\$3,500					
AF1361	SMITH FOR CONGRESS LLC	05/11/2005	Not Filed		C00389759	HENRY F LUEPKE	MO	06/09/2005	0	2004 YEAR-END	\$250
	SMITH, MARK	04/27/2005				\$1,268					
						\$250					
AF1376	COMMITTEE TO ELECT WILLIAM (WILLIE) VADEN FOR CONGRESS	Not Filed			C00394692	WILLIAM ROSS VADEN	TX	06/06/2005	0	2004 YEAR-END	\$500
	VADEN, WILLIAM R	04/27/2005				\$16,701 (est)					
						\$500					

FEDERAL ELECTION COMMISSION 2005-2006
FINAL DETERMINATION CIRCULATION REPORT

AF #	CANDIDATE NAME	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	REPORT TYPE	REASON TO BELIEVE DATE	DAYS LATE	LEVEL OF ACTIVITY	PREVIOUS VIOLATIONS	DATE PAID	AMOUNT PAID
AF1380	EMPIRE DISTRICT ELECTRIC COMPANY	POLITICAL ACTION COMMITTEE	C00208249	JAY WILLIAMS	MO	2004 YEAR-END	03/02/2005	30	\$6,334	0	06/01/2005	\$200
							04/27/2005		\$200			
AF1382	MCKENNA LONG AND ALDRIDGE LLP	POLITICAL ACTION COMMITTEE	C00391383	EDGAR H SIMS	GA	2004 YEAR-END	02/11/2005	11	\$21,000	0	06/06/2005	\$155
							04/27/2005		\$155			
AF1387	SOUTHEAST ANESTHESIA ASSOCIATES	POLITICAL ACTION COMMITTEE	C00306878	H ARTHUR MCCULLOCH MD	NC	2004 YEAR-END	03/23/2005	Not Filed	\$6,990	1	06/09/2005	\$375
							04/27/2005		\$375			
AF1388	COLONIAL BANGROUP INC	FEDERAL POLITICAL ACTION COMMITTEE (COLONIAL FED PAC	C00309526	HARLAN PARRISH	AL	2004 YEAR-END	Not Filed		\$35,427 (est)	3	06/10/2005	\$1,575
							04/27/2005		\$1,575			
AF1391	PLUMBERS LOCAL 519	POLITICAL ACTION COMMITTEE	C00143362	PHIL TRUCKS JR	FL	2004 YEAR-END	03/28/2005	Not Filed	\$3,737	0	05/10/2005	\$250
							04/27/2005		\$250			

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COMMITTEES THAT HAVE NOT PAID

FEDERAL ELECTION COMMISSION 2005-2006
FINAL DETERMINATION CIRCULATION REPORT

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AF #	CANDIDATE NAME	RECEIPT DATE	RTB DATE	COMMITTEE NAME	COMMITTEE ID	LEVEL OF ACTIVITY	RTB PENALTY	STATE	PREVIOUS VIOLATIONS	REPORT TYPE
AF1346	AL GREEN FOR CONGRESS GREEN, ALEXANDER	03/01/2005	04/27/2005	29	C00396028	\$75,472	\$3,300	TX	0	2004 YEAR-END
							49			\$3,300
AF1348	GARY NOLAN FOR PRESIDENT NOLAN, GARY P.	Not Filed	04/27/2005		C00384370	\$22,723 (est)	\$750	00	2	2004 YEAR-END
							49			\$750
AF1352	CHRIS JENNINGS FOR CONGRESS JENNINGS, CHRISTINE	03/08/2005	Not Filed		C00398305	\$3,340	\$250	FL	0	2004 YEAR-END
							49			\$250
AF1353	SAULL FOR SENATE SAULL, KAREN	05/13/2005	Not Filed		C00401398	\$0	\$11,500	FL	0	2004 YEAR-END
							49			\$0
AF1358	JOHN MCKINNIS FOR CONGRESS INC MCKINNIS, JOHN R II	04/28/2005	Not Filed		C00391268	\$0	\$900	MD	0	2004 YEAR-END
							49			\$0
AF1360	STEVEN REIFMAN FOR CONGRESS REIFMAN, STEVEN W.	03/21/2005	Not Filed		C00396275	\$2,746	\$250	MI	0	2004 YEAR-END
							49			\$250
AF1362	FRIENDS OF JEFF SMITH SMITH, JEFF	Not Filed	04/27/2005		C00390914	\$186,159 (est)	\$5,500	MO	0	2004 YEAR-END
							49			\$5,500

NOT PAID

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

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

AP #	COMMITTEE NAME	COMMITTEE ID	LEVEL OF ACTIVITY	DAYS LATE	RTB DATE	RTB PENALTY	DAYS SINCE RTB	REPORT TYPE	PREVIOUS VIOLATIONS	FINAL CIVIL MONEY PENALTY	STATE
AF1363	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS SUMMERS-O'NEAL, STEHPANIE Not Filed	C00395863	DEBORAH JOHNSON THORNTON		04/27/2005	\$7,875		2004 YEAR-END	3	\$7,875	MS
AF1364	WHIT FOR CONGRESS WHITFIELD, ROBERT EDWARD	C00395210	JENNIFER B PHILLIPS		04/27/2005	\$1,083	49	2004 YEAR-END	0	\$250	NC
AF1366	JAMES A GARNER CONGRESSIONAL COMMITTEE GARNER, JAMES A Not Filed	C00392506	LOUIS M EUSTACHE		04/27/2005	\$135,673 (est)	49	2004 YEAR-END	0	\$4,500	NY
AF1367	FLEMING FOR CONGRESS 2004 FLEMING, JOHN J 06/03/2005 Not Filed	C00391615	NEIL J MCCARTHY		04/27/2005	\$1,125	49	2004 YEAR-END	1	\$312	NY
AF1368	HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE HIRSCHFELD, ABRAHAM Not Filed	C00393538	GEORGE L ESPADA		04/27/2005	\$789,293 (est)	49	2004 YEAR-END	4	\$22,000	NY
AF1369	FRIENDS OF JEFF SEEMANN FOR CONGRESS SEEMANN, JEFF Not Filed	C00399808	JEFF SEEMANN		04/27/2005	\$67,936 (est)	49	2004 YEAR-END	1	\$3,375	OH
AF1371	CHRISTENSEN 4 CONGRESS CHRISTENSEN, GENE Not Filed	C00393462	LAURA BESKAR		04/27/2005	\$110,694 (est)	49	2004 YEAR-END	0	\$4,500	TX
AF1374	STACE WILLIAMS FOR US CONGRESS WILLIAMS, STACE LAWRENCE Not Filed	C00385047	CHARLES WADE DARTER JR		04/27/2005	\$30,537 (est)	49	2004 YEAR-END	2	\$1,350	TX

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

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

AF1377	SOCAS FOR CONGRESS SOCAS, JAMES ROBERT Not Filed	04/27/2005		04/27/2005		\$11,875	C00399345	ANDREW T O'DELL \$458,073 (est) 49	VA	1	2004 YEAR-END \$11,875
AF1379	AMERICANS FOR DEMOCRATIC ACTION INC	02/18/2005		04/27/2005	18	\$115	C00112680	Dulk Jacobs, Valerie \$1,129 49	DC	0	2004 YEAR-END \$115
AF1381	INTERNATIONAL CHIROPRACTORS ASSOCIATION-POLITICAL ACTION COMMITTEE	02/16/2005		04/27/2005	16	\$520	C00329920	GARY L WALSEMANN DC FICA \$28,082 49	VA	0	2004 YEAR-END \$520
AF1383	METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE	02/14/2005		04/27/2005	14	\$118	C00207589	DEBORAH J ARVESEN \$285 49	CA	1	2004 YEAR-END \$118
AF1384	SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC)	02/24/2005		04/27/2005	24	\$181	C00254656	JOHN W GRAY \$952 49	FL	1	2004 YEAR-END \$181
AF1385	U S IMMIGRATION REFORM PAC	02/22/2005		04/27/2005	22	\$135	C00253906	WILLIAM W CHIP \$3,275 49	DC	0	2004 YEAR-END \$135
AF1389	CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE (CBC-PAC)	Not Filed		04/27/2005		\$10,125	C00147512	Arthur R. Collins \$136,080 (est) 49	DC	5	2004 YEAR-END \$10,125
AF1390	INDEPENDENT ACTION INC	05/18/2005		04/27/2005		\$4,375	C00139741	RALPH SANTORA \$17,404 49	DC	1	2004 YEAR-END \$625



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

25092582373

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;)	

25092582374

Federal Election Commission
 Certification for Administrative Fines
 June 23, 2005

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

25092582375

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.

25092582376

Federal Election Commission
Certification for Administrative Fines
June 23, 2005

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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

25092582377

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.

25092582378

Federal Election Commission
Certification for Administrative Fines
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.

25092582379

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

25092582380



WESTERN UNION COMMERCIAL SERVICES

CONFIRMATION OF CMGM

TO:RALPH SANTORA
INDEPENDENT ACTION INC
1317 F ST NW STE 900
WASHINGTON DC 20004-1172

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

JUNE 24, 2005

RALPH SANTORA
INDEPENDENT ACTION INC
1317 F ST NW #900
WASHINGTON DC 20004

C00139741
AF# 1390

DEAR RALPH SANTORA,

ON 04/27/2005, THE FEDERAL ELECTION COMMISSION ("FEC") FOUND REASON TO BELIEVE ("RTB") THAT INDEPENDENT ACTION INC AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO 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 \$4375 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. YOU MUST ALSO FILE THE 2004 YEAR-END REPORT IF YOU HAVE NOT ALREADY DONE SO.

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 INDEPENDENT ACTION INC VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$625 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: \$17404
NUMBER OF PREVIOUS VIOLATIONS: 1 NUMBER OF DAYS LATE: NOT FILED

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

10579526057


**WESTERN
UNION.**

WESTERN UNION COMMERCIAL SERVICES

LETTER.

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 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 \$625 FOR THE


**WESTERN
UNION.**

WESTERN UNION COMMERCIAL SERVICES

2004 YEAR-END REPORT.

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: INDEPENDENT ACTION INC

FEC ID: C00139741

AF#: 1390

PAYMENT AMOUNT DUE: \$625

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

25092582384



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1390

DATE SCANNED 10/4/05

SCANNER NO. 1

SCAN OPERATOR S.E.G

25092582385