



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1405

DATE SCANNED 2/15/06

SCANNER NO. 2

SCAN OPERATOR ESJ

26092584386



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2005 JUL -11 A 10:17

June 22, 2005

SENSITIVE

MEMORANDUM

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 - 2005 APRIL
QUARTERLY 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 2005 April Quarterly Report in accordance with 2 U.S.C. 434(a). On March 21, 2005, Prior Notice was sent to the political committees and their treasurers, informing them that the April Quarterly Report was due on April 15, 2005. The report should have covered the period ending on March 31, 2005.

The committees listed in the attached RTB Circulation Report either failed to file the report or filed the report more than five (5) days after the due date. In accordance with the schedule of civil money penalties located within 11 CFR §111.43, these committees should be assessed the civil money penalties highlighted on the report attached.

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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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DATE 06/21/2005
PAGE: 2

FEDERAL ELECTION COMMISSION 2005-2006
Reason to Believe Circulation Report
2005 APRIL QUARTERLY

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF01406	MAGNUM FOR CONGRESS	C00401067	DIEHL, THOMAS			\$221,182 (est)	\$1,327,097	WI	MAGNUM, DAVID ROBERT	No	0	\$6,500

Not Filed



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME TRANSMITTED: Friday, July 01, 2005 12:00

RETURN TO COMMISSION SECRETARY BY: Thursday, July 14, 2005 4:00

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

SUBJECT: **RTB Recommendation - 2005 April Quarterly Report For The Administrative Fines Program. Memorandum from the Assistant Staff Director, Reports Analysis Division dated June 22, 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

26092584391

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2005)
April Quarterly Report For The)
Administrative Fines Program.:)

FRIENDS OF JEFF SMITH, and NICK) AF# 1398
ADAMS as treasurer;)

JAMES A GARNER CONGRESSIONAL) AF# 1400
COMMITTEE, and LOUIS M EUSTACHE)
as treasurer;)
COMITE PRATS AL CONGRESO INC,) AF# 1402
and JOSE JOAQUIN LEDESMA ESQ as)
treasurer;)
DIEDRICH FOR CONGRESS, and Harvey) AF# 1403
C Krautschun as treasurer;)

SOCAS FOR CONGRESS, and ANDREW) AF# 1405
T O'DELL as treasurer;)
MAGNUM FOR CONGRESS, and DIEHL,) AF# 1406
THOMAS as treasurer;)

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on July 14, 2005 the Commission took the following actions on the Reason To Believe Recommendation - 2005 April Quarterly Report For The Administrative Fines Program. as recommended in the Reports Analysis Division's Memorandum dated July 14, 2005, on the following committees:

AF#1398 Decided by a vote of 6-0 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 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, Toner, and Weintraub voted affirmatively for the decision.

AF#1400 Decided by a vote of 6-0 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, Toner, and Weintraub voted affirmatively for the decision.

AF#1402 Decided by a vote of 6-0 to: (1) find reason to believe that COMITE PRATS AL CONGRESO INC, and JOSE JOAQUIN LEDESMA ESQ 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.

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

AF#1403 Decided by a vote of 6-0 to: (1) find reason to believe that DIEDRICH FOR CONGRESS, and Harvey C Krautschun 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, Toner, and Weintraub voted affirmatively for the decision.

AF#1405 Decided by a vote of 6-0 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, Toner, and Weintraub voted affirmatively for the decision.

AF#1406 Decided by a vote of 6-0 to: (1) find reason to believe that MAGNUM FOR CONGRESS, and DIEHL, THOMAS 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, Toner, and Weintraub voted affirmatively for the decision.

Attest:

July 15 2005
Date

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

26092584394

WESTERN UNION COMMERCIAL SERVICES

**WESTERN
UNION.**

CONFIRMATION OF CMGM

TO: ANDREW T O'DELL
SOCAS FOR CONGRESS
1223 BALLANTRAE LN
MCLEAN VA 22101-3003

FEDERAL ELECTION COMMISSION
TODD GARLAND
999 E ST NW # 709
WASHINGTON DC 20463

JULY 15, 2005

ANDREW T O'DELL
SOCAS FOR CONGRESS
1223 BALLANTRAE LN
MCLEAN VA 22101

C00399345
AF#: 1405

DEAR ANDREW T O'DELL:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE AN APRIL QUARTERLY REPORT OF RECEIPTS AND DISBURSEMENTS EVERY CALENDAR YEAR. THIS REPORT, COVERING THE PERIOD THROUGH MARCH 31ST, SHALL BE FILED NO LATER THAN APRIL 15TH. 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 07/14/2005, THE FEC FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT SOCAS FOR CONGRESS AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE APRIL 15TH. 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 \$11,875. IT IS DUE BY 08/23/2005 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE
LEVEL OF ACTIVITY: \$458073
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.

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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 08/23/2005. 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 SOCAS FOR CONGRESS 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,


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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 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 \$11,875 FOR THE 2005 APRIL QUARTERLY 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 08/23/2005. 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: SOCAS FOR CONGRESS

FEC ID#: C00399345

AF#: 1405

PAYMENT DUE DATE: 08/23/2005

PAYMENT AMOUNT DUE: \$11,875



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2005 SEP 19

September 16, 2005

SECRETARIAT

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: ADMINISTRATIVE FINES FINAL DETERMINATION
RECOMMENDATION FOR THE 2005 APRIL QUARTERLY
REPORT

Attached is a list of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2005 April Quarterly Report. The 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 Commission's RTB finding to remit payment.

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

Please note that five (5) committees filed reports which disclosed a level of activity less than that which was estimated at RTB, thus resulting in a reduced civil money penalty. Friends of Jeff Smith (AF1398) disclosed \$0.00 in activity, lowering the fine from \$5,500.00 to \$0.00. Comite Prats Al Congreso Inc (AF1402) disclosed \$525.00 in activity, lowering the fine from \$6,500.00 to \$250.00. Diedrich for Congress (AF1403) disclosed \$41,174.00 in activity, lowering the fine from \$11,250.00 to \$1,125.00. Magnum for Congress (AF1406) disclosed \$161.00 in activity, lowering the fine from \$6,500.00 to \$161.00. Stephanie Summers O'Neal for US Congress (AF1408) disclosed \$0.00 in activity, lowering the fine from \$7,875.00 to \$0.00.

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

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	REPORT TYPE
AF1398	FRIENDS OF JEFF SMITH SMITH, JEFF 07/06/2005 07/14/2005 Not Filed	C00390914	STEVE SMITH \$0	MO	2005 APRIL QUARTERLY
		\$5,500	64		\$0
AF1400	JAMES A GARNER CONGRESSIONAL COMMITTEE GARNER, JAMES A Not Filed 07/14/2005	C00392506	LOUIS M EUSTACHE \$135,673 (est)	NY	2005 APRIL QUARTERLY
		\$4,500	64		\$4,500
AF1402	COMITE PRATS AL CONGRESO INC PRATS PALERM, ROBERTO L 09/15/2005 Not Filed	C00387662	JOSE JOAQUIN LEDESMA ESQ \$525	PR	2005 APRIL QUARTERLY
		\$6,500	64		\$250
AF1403	DIETRICH FOR CONGRESS DIETRICH, LARRY WILLIAM 07/01/2005 Not Filed	C00367276	Harvey C Krautschun \$41,174	SD	2005 APRIL QUARTERLY
		\$11,250	64		\$1,125
AF1405	SOCAS FOR CONGRESS SOCAS, JAMES ROBERT Not Filed 07/14/2005	C00399345	ANDREW T O'DELL \$458,073 (est)	VA	2005 APRIL QUARTERLY
		\$11,875	64		\$11,875
AF1406	MAGNUM FOR CONGRESS MAGNUM, DAVID ROBERT 08/26/2005 Not Filed	C00401067	DIEHL, THOMAS \$161	WI	2005 APRIL QUARTERLY
		\$6,500	64		\$161
AF1408	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS SUMMERS-O'NEAL, STEHPANIE 09/11/2005 Not Filed	C00395863	DEBORAH JOHNSON THORNTON \$0	MS	2005 APRIL QUARTERLY
		\$7,875	64		\$0

NOT PAID



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Monday, September 19, 2005 11:00

BALLOT DEADLINE: Thursday, September 22, 2005 4:00

COMMISSIONER: MASON, McDONALD, THOMAS, TONER, WEINTRAUB

SUBJECT: **Administrative Fines Final Determination Recommendation for the 2005 April Quarterly Report. Memorandum from the Assistant Staff Director Reports Analysis Division dated September 16, 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

26092584400

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fines Final Determination)
Recommendation for the 2005 April)
Quarterly Report:)
FRIENDS OF JEFF SMITH, and STEVE) AF# 1398
SMITH as treasurer;)
JAMES A GARNER CONGRESSIONAL) AF# 1400
COMMITTEE, and LOUIS M EUSTACHE)
as treasurer;)
COMITE PRATS AL CONGRESO INC,) AF# 1402
and JOSE JOAQUIN LEDESMA ESQ as)
treasurer;)
DIEDRICH FOR CONGRESS, and Harvey) AF# 1403
C Krautschun as treasurer;)
SOCAS FOR CONGRESS, and ANDREW) AF# 1405
T O'DELL as treasurer;)
MAGNUM FOR CONGRESS, and DIEHL,) AF# 1406
THOMAS as treasurer;)
STEPHANIE SUMMERS O'NEAL FOR) AF# 1408
US CONGRESS, and DEBORAH)
JOHNSON THORNTON as treasurer;)

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on September 22, 2005 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the 2005 April Quarterly Report as recommended in the Reports Analysis Division's Memorandum dated September 16, 2005, on the following committees:

AF#1398 Decided by a vote of 5-0 to: (1) make a final determination that FRIENDS OF JEFF SMITH, and STEVE SMITH 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, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1400 Decided by a vote of 5-0 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, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1402 Decided by a vote of 5-0 to: (1) make a final determination that COMITE PRATS AL CONGRESO INC, and JOSE JOAQUIN LEDESMA ESQ 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, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1403 Decided by a vote of 5-0 to: (1) make a final determination that DIEDRICH FOR CONGRESS, and Harvey C Krautschun 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, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1405 Decided by a vote of 5-0 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, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1406 Decided by a vote of 5-0 to: (1) make a final determination that MAGNUM FOR CONGRESS, and DIEHL, THOMAS as treasurer , violated 2 U.S.C.

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434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1408 Decided by a vote of 5-0 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, Thomas, Toner, and Weintraub voted affirmatively for the decision.

Attest:

September 22, 2005
Date

Darlene Harris
for Mary W. Dove
Secretary of the Commission

26092584403

**WESTERN
UNION.**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: ANDREW T O'DELL
SOCAS FOR CONGRESS
1223 BALLANTRAE LN
MCLEAN VA 22101-3003FEDERAL ELECTION COMMISSION
TODD GARLAND
999 E ST NW # 709
WASHINGTON DC 20463

SEPTEMBER 26, 2005

ANDREW T O'DELL
SOCAS FOR CONGRESS
1223 BALLANTRAE LN
MCLEAN VA 22101C00399345
AF# 1405

DEAR ANDREW T O'DELL,

ON 07/14/2005, THE FEDERAL ELECTION COMMISSION ("FEC") FOUND REASON TO BELIEVE ("RTB") THAT SOCAS FOR CONGRESS AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO FILE THE 2005 APRIL QUARTERLY REPORT. BY MAILGRAM DATED 07/15/2005, THE FEC SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE OF \$11,875 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 2005 APRIL QUARTERLY REPORT IF YOU HAVE NOT ALREADY DONE SO.

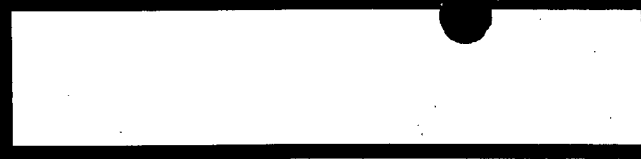
THE FEC DID NOT RECEIVE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR YOUR WRITTEN RESPONSE WITHIN THE TIME PERMITTED. THEREFORE, THE FEC MADE A FINAL DETERMINATION ON 09/22/2005 THAT YOU, AS TREASURER, AND SOCAS FOR CONGRESS VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$11,875 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: \$458073
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

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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'S 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'S 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'S NOTIFICATION, THIS COULD OCCUR AT ANYTIME FOLLOWING CERTIFICATION OF THE COMMISSION'S VOTE.

IF YOU HAVE ANY QUESTIONS REGARDING THE PAYMENT OF THE CIVIL MONEY PENALTY, PLEASE CONTACT ELIZABETH GOINGS 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 \$11,875 FOR THE

20092584403

**WESTERN
UNION.**

WESTERN UNION COMMERCIAL SERVICES

2005 APRIL QUARTERLY 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: SOCAS FOR CONGRESS

FEC ID: C00399345

AF#: 1405

PAYMENT AMOUNT DUE: \$11,875

2005021600

WESTERN UNION

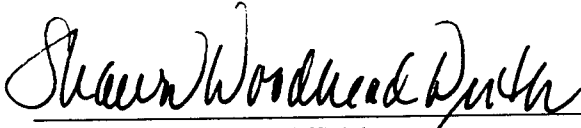
CERTIFICATION - DEBT COLLECTION

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.

January 26, 2006
Date


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

26092584407



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1405

DATE SCANNED 2/15/06

SCANNER NO. 2

SCAN OPERATOR EA

26092584408