



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1408

DATE SCANNED 1-26-06

SCANNER NO. 2

SCAN OPERATOR JmH

26092584150



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 *JAP*
STAFF DIRECTOR

ROBERT J. COSTA *RC*
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON *JDG*
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.

20050215094111

20092364133

DATE 06/21/2005
PAGE: 1

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

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

AF01398	FRIENDS OF JEFF SMITH	C00390914	NICK ADAMS	Not Filed		MO	\$930,796	\$186,159 (est)	SMITH, JEFF	No	0	\$5,500
AF01408	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS	C00395863	DEBORAH JOHNSON THORNTON	Not Filed		MS	\$110,474	\$110,474 (est)	SUMMERS-O'NEAL, STEHPANIE	No	3	\$7,875

AF01402	COMITE PRATS AL CONGRESO INC	C00387662	JOSE JOAQUIN LEDESMA ESQ	Not Filed		PR	\$2,228,736	\$222,873 (est)	PRATS PALERM, ROBERTO L	No	0	\$6,500
AF01403	DIEDRICH FOR CONGRESS	C00367276	Harvey C Krautschun	Not Filed		SD	\$5,081,698	\$423,474 (est)	DIEDRICH, LARRY WILLIAM	No	1	\$11,250

26092564134

DATE 06/21/2005
PAGE: 2

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

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

AF01406	MAGNUM FOR CONGRESS	WI	MAGNUM, DAVID ROBERT	No	0	\$6,500
C00401067	DIEHL, THOMAS	\$1,327,097	\$221,182 (est)			

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

20092364133

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason to Believe Recommendation -) AF 1408
2005 April Quarterly Report For The)
Administrative Fines Program: Stephanie)
Summers O'Neal for US Congress and)
Stephanie Summers-O'Neal.)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on July 14, 2005, the Commission decided by a vote of 6-0 to take the following actions in AF 1408:

1. Find reason to believe that Stephanie Summers O'Neal for US Congress and Stephanie Summers-O'Neal, as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be \$7,875.
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

20050715 09:52:09Z

**WESTERN
UNION®**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: DEBORAH JOHNSON THORNTON
STEPHANIE SUMMERS O'NEAL FOR US CONGRESS
208 CULLEY DR
JACKSON MS 39206-3611FEDERAL ELECTION COMMITTEE
ELIZABETH GOINGS
999 E ST. NW
WASHINGTON DC 20463

AUGUST 31, 2005

DEBORAH JOHNSON THORNTON
STEPHANIE SUMMERS O'NEAL FOR US CONGRESS
208 CULLEY DRIVE
JACKSON MS 39206C00395863
AF#: 1408

DEAR DEBORAH JOHNSON THORNTON:

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 STEPHANIE SUMMERS O'NEAL FOR US 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 \$7875. IT IS DUE BY 10/09/2005 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE
LEVEL OF ACTIVITY: \$110474
NUMBER OF DAYS LATE: NOT FILED
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 3TO PAY THE CALCULATED CIVIL MONEY PENALTY
TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED

250002364137

1001300000000001

**WESTERN
UNION®**

WESTERN UNION COMMERCIAL SERVICES

REMITTANCE AND YOUR PAYMENT TO THE FEC AT THE ADDRESS ON PAGE 3. 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 10/09/2005. 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 STEPHANIE SUMMERS O'NEAL FOR US 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.



WESTERN UNION COMMERCIAL SERVICES

ADDITIONAL INFORMATION ON THE FEC'S ADMINISTRATIVE FINE PROGRAM, 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 ELIZABETH GOINGS 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 \$7875 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 10/09/2005. 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: STEPHANIE SUMMERS O'NEAL FOR US CONGRESS

FEC ID#: C00395863

AF#: 1408

PAYMENT DUE DATE: 10/09/2005

PAYMENT AMOUNT DUE: \$7875

DUE 10/09/2005



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2005 SEP 19

September 16, 2005

SECRETARIAT

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON *JAP*
STAFF DIRECTOR

ROBERT J. COSTA *RC*
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON *JDG*
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.

20092364140

26092364141

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

AF #	COMMITTEE NAME	RECEIPT DATE	RTB DATE	DAYS LATE	COMMITTEE ID	TREASURER	STATE	LEVEL OF ACTIVITY	PREVIOUS VIOLATIONS	REPORT TYPE
AF1398	FRIENDS OF JEFF SMITH SMITH, JEFF	07/06/2005	07/14/2005	Not Filed	C00390914	STEVE SMITH \$0	MO	\$5,500	0	2005 APRIL QUARTERLY
AF1402	COMITE PRATS AL CONGRESO INC FRANS PALERM, ROBERTO L	09/15/2005	07/14/2005	Not Filed	C00387662	JOSE JOAQUIN LEDESMA ESQ \$525	PR	\$6,500	0	2005 APRIL QUARTERLY
AF1403	DIEDRICH FOR CONGRESS DIEDRICH, LARRY WILLIAM	07/01/2005	07/14/2005	Not Filed	C00367276	Harvey C Krautschun \$41,174	SD	\$11,250	1	2005 APRIL QUARTERLY
AF1406	MAGNUM FOR CONGRESS MAGNUM, DAVID ROBERT	08/26/2005	07/14/2005	Not Filed	C00401067	DIEHL, THOMAS \$161	WI	\$6,500	0	2005 APRIL QUARTERLY
AF1408	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS SUMMERS-O'NEAL, STEHPANIE	09/11/2005	07/14/2005	Not Filed	C00395863	DEBORAH JOHNSON THORNTON \$0	MS	\$7,875	3	2005 APRIL QUARTERLY

RTB PENALTY	DAYS SINCE RTB	FINAL CIVIL MONEY PENALTY
\$0	64	\$0
\$0	64	\$250
\$0	64	\$1,125
\$0	64	\$161
\$0	64	\$0



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

26092364142

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;)

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;)

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;)

20092384149

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#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#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.

20092384144

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

26092564145

**WESTERN
UNION®**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: DEBORAH JOHNSON THORTON
STEPHANIE SUMMERS O'NEAL FOR US CONGRESS
208 CULLEY DR
JACKSON MS 39206-3611FEDERAL ELECTION COMMISSION
TODD GARLAND
999 E ST NW # 709
WASHINGTON DC 20463

SEPTEMBER 26, 2005

DEBORAH JOHNSON THORTON
STEPHANIE SUMMERS O'NEAL FOR US CONGRESS
208 CULLEY DRIVE
JACKSON MS 39206C00395863
AF# 1408

DEAR DEBORAH JOHNSON THORTON,

ON 07/14/2005, THE FEDERAL ELECTION COMMISSION ("FEC") FOUND REASON TO BELIEVE ("RTB") THAT STEPHANIE SUMMERS O'NEAL FOR US 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 \$7,875 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 STEPHANIE SUMMERS O'NEAL FOR US CONGRESS VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$0.00 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: \$0.00
NUMBER OF PREVIOUS VIOLATIONS: 3 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

**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'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 \$0.00 FOR THE

**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: STEPHANIE SUMMERS O'NEAL FOR US CONGRESS

FEC ID: C00395863

AF#: 1408

PAYMENT AMOUNT DUE: \$0.00



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1408

DATE SCANNED 1-26-06

SCANNER NO. 2

SCAN OPERATOR JMP

2603256419