



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1489

DATE SCANNED 11/27/06

SCANNER NO. 2

SCAN OPERATOR EES

26092593407



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2006 JUN 29 P 12:19
June 29, 2006

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ROBERT J. COSTA *RC*
ACTING STAFF DIRECTOR

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

SUBJECT: ADMINISTRATIVE FINE PROGRAM
REASON TO BELIEVE RECOMMENDATION -
2006 APRIL MONTHLY REPORT

Attached is the name of a political committee and its treasurer who failed to timely file the 2006 April Monthly Report in accordance with 2 U.S.C. 434(a). On February 2, 2006, Prior Notice was sent to the political committee and treasurer, informing them that the report was due on April 20, 2006 and should cover the period from March 1, 2006 through March 31, 2006.

The committee appearing on the attached list failed to file the report. In accordance with the schedule of civil money penalties located within 11 CFR §111.43, the committee should be assessed the civil money penalty outlined on the attached list.

Recommendation

- 1) Find reason to believe that the political committee and treasurer listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the RTB Circulation Report.
- 2) Send the appropriate Reason to Believe letter to the committee.

26092593408

Federal Election Commission
Reason to Believe Circulation Report
2006 APRIL MONTHLY Non Election Sensitive 04/15/2006

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late Not Filled	LOA	Penalty
1489	C00153031	OREGON REPUBLICAN PARTY	VANCE DAY	\$620,440.00	0			\$44,317 (est)	\$900.00



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Thursday, June 29, 2006 4:00

BALLOT DEADLINE: Wednesday, July 05, 2006 4:00

COMMISSIONER: LENHARD, MASON, TONER, von SPAKOVSKY, WALTHER, WEINTRAUB

SUBJECT: **Administrative Fine Program
Reason To Believe Recommendation –
2006 April Monthly Report. Memorandum from the
Assistant Staff Director, Reports Analysis
Division dated June 29, 2006.**

- I approve the recommendation(s)
- I object to the recommendation(s)
- I am recused from voting
- No vote by ballot

COMMENTS: _____

DATE: _____

SIGNATURE: _____

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.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

26092593410

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program Reason To) AF 1489
Believe Recommendation - 2006 April)
Monthly Report.)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on July 05, 2006, the Commission decided by a vote of 6-0 to take the following actions in AF 1489:

1. Find reason to believe that the Oregon Republican Party and Vance Day, Treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be in the amount of \$900.00.
2. Send the appropriate Reason to Believe letter to the committee.

Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

Attest:

July 5, 2006
Date

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

26092593411



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 2006

Charles Oakes
Oregon Republican Party
2720 Commercial St SE #210
Salem, OR 97302

C00153031
AF#: 1489

Dear Charles Oakes:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Monthly Report of Receipts and Disbursements covering the period through March 31st. This report shall be filed no later than April 20th. 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 7/5/2006, the FEC found that there is reason to believe ("RTB") that Oregon Republican Party and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before April 20th. 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 \$900. It is due by 8/14/2006 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$44317
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

To Pay the Calculated Civil Money Penalty

To pay the calculated civil money penalty, send the enclosed remittance and your payment to the FEC at the address on page 3. 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 8/14/2006. 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

26092593412

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 Oregon Republican Party 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, 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 Shara Coutourier 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,


Michael E. Toner
Chairman

26092593413

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 \$900 for the 2006 April Monthly 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 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by 8/14/2006. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Oregon Republican Party

FEC ID#: C00153031

AF#: 1489

PAYMENT DUE DATE: 8/14/2006

PAYMENT AMOUNT DUE: \$900

26092593414



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2006 AUG 28 P 5:19

August 28, 2006

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK
STAFF DIRECTOR *PMC*

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

SUBJECT: ADMINISTRATIVE FINES FINAL DETERMINATION
RECOMMENDATION FOR THE 2006 APRIL MONTHLY
REPORT (M4)

Attached is a circulation report identifying a political committee and its treasurer against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to timely file the 2006 April Monthly Report. The committee has not paid the proposed RTB fine and has 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 the respondent that has not paid the civil money penalties.

RAD Recommendation

- (1) Make final determination that the political committee and their treasurer on the attached reports violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated.
- (2) Send the appropriate letter.

25092593415

26092593416

8/28/2006 10:53 AM

Federal Election Commission
FD Circulation Report - Fine Not Paid
2006 APRIL MONTHLY REPORT 04/20/2006

AF#	Committee Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
1489	OREGON REPUBLICAN PARTY	C00153031	CHARLES OAKES	8/17/2006	NOT FILED	\$37,944	0	7/5/2006	\$900	54	\$900



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Tuesday, August 29, 2006 11:00

BALLOT DEADLINE: Friday, September 01, 2006 4:00

COMMISSIONER: LENHARD, MASON, TONER, von SPAKOVSKY, WALTHER, WEINTRAUB

SUBJECT: **Administrative Fines Final Determination Recommendation
For The 2006 April Monthly Report. Memorandum from the
Assistant Staff Director, Reports Analysis Division
dated August 28, 2006.**

- I approve the recommendation(s)
- I object to the recommendation(s)
- I am recused from voting
- No vote by ballot

COMMENTS: _____

DATE: _____

SIGNATURE: _____

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.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

26092593417

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fines Final Determination) AF 1489
Recommendation For The 2006 April)
Monthly Report.)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on September 01, 2006, the Commission decided by a vote of 6-0 to approve the following actions in AF 1489:

1. Make a final determination that Oregon Republican Party and Charles Oakes, as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty in the amount of \$900.00.
2. Send the appropriate letter.

Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and

Weintraub voted affirmatively for the decision.

Attest:

September 5, 2006
Date

Mary W. Dove

Mary W. Dove
Secretary of the Commission

26092593418



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 5, 2006

Charles S. Oakes, Treasurer
Oregon Republican Party
Post Office Box 789
Salem, OR 97308

C00153031
AF# 1489

Dear Charles S. Oakes,

On 7/5/2006 the Federal Election Commission ("FEC") found reason to believe ("RTB") that Oregon Republican Party and you, as treasurer, violated 2 U.S.C. 434(a) for failing to file the 2006 April Monthly Report. By mailgram dated 7/6/2006, the FEC sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$900.00 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 2006 April Monthly 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 9/1/2006 that you, as treasurer, and Oregon Republican Party violated 2 U.S.C. 434(a) and assessed a civil money penalty in the amount of \$900.00 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: \$37,994.00
Number of Previous Violations: 0
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 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

26092593419

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 Patricia Carmona 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,



Michael E. Toner
Chairman

26092593420

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the civil money penalty is \$900.00 for the 2006 April Monthly 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 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

Payments by Personal Check

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Oregon Republican Party

FEC ID: C00153031

AF#: 1489

PAYMENT AMOUNT DUE: \$900.00

26092593421

SUBSEQUENT TO THE AUGUST 28, 2006 MEMORANDUM TO THE COMMISSION
IN WHICH THEY WERE LISTED AS NOT HAVING PAID, THE COMMITTEE IN THE
FOLLOWING CASE HAS PAID ADMINISTRATIVE FINES:

1489

26092593422

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 002 \$ 000090000 BA# 1 09-12-06 20 3



26092593423



KeyBank National Association
Salem, Oregon 97304

OREGON REPUBLICAN PARTY
SALEM, OR 97308

5042
24-201/1239
9/7/2006

PAY TO THE ORDER OF Federal Elections Commission \$ **900.00

Nine Hundred and 00/100..... DOLLARS

Federal Elections Commission
P.O. Box 979058
St. Louis, MO 63197-9000

MEMO AF#: 1489

Amy E. Langdon



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1489

DATE SCANNED

11/27/06

SCANNER NO.

2

SCAN OPERATOR

SES

26092593424