



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1496

DATE SCANNED 6/6/07

SCANNER NO. 1

SCAN OPERATOR SES

27092602069



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2006 SEP 25 P 4: 46  
September 25, 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 FINE PROGRAM  
REASON TO BELIEVE RECOMMENDATION -  
2006 JULY QUARTERLY REPORT

Attached is a list of political committees and their treasurers who either failed to file or failed to timely file, the 2006 July Quarterly Report in accordance with 2 U.S.C. 434(a). On June 21, 2006, Prior Notice was sent to all authorized and unauthorized committees and their treasurers, informing them that the July Quarterly Report was due on July 15, 2006. The July Quarterly Report is required to cover the time frame from April 1, 2006 through June 30, 2006.

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 attached report.

**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 Reason to Believe letters to the committees.

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2006 JULY QUARTERLY Non Election Sensitive 07/15/2006 H\_S\_P\_UNAUTH

9/25/2006 4:03 PM

Federal Election Commission  
Reason to Believe Circulation Report  
2006 JULY QUARTERLY Non Election Sensitive 07/15/2006

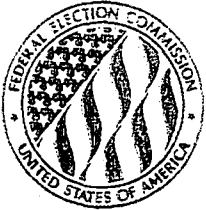
AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
1495	C00422972	ANDERSON FOR CONGRESS	ANDERSON, WOODROW WILSON III	MELINDA MILLIGAN WALLACE	\$306,442.00	0	8/2/2006	18	\$306,442	\$5,100.00
1496	C00351031	ASIAN AMERICAN ACTION FUND (AAA FUND)		IRENE BUENO	\$130,383.00	0	7/25/2006	10	\$75,472	\$1,400.00
1498	C00417253	CITIZENS TO ELECT PHILLIP JACKSON	JACKSON, PHILLIP	KIRSTEN ROKKE	\$162,828.00	0		Not Filed	\$54,276 (est)	\$2,700.00
1500	C00418368	COMMITTEE TO ELECT MATT MILLER	MILLER, MATT	DON EISERLING	\$175,146.00	0	7/23/2006	8	\$54,428	\$900.00
1502	C00127811	FLORIDA CONGRESSIONAL COMMITTEE		FORREST B RAFFEL	\$174,115.00	0	8/14/2006	30	\$28,260	\$800.00
1503	C00409433	FRIENDS FOR DIX	DIX, WILLIAM CLARK	MATT GRONEWALD	\$1,566,591.00	0	9/21/2006	Not Filed	\$536,513	\$9,500.00
1504	C00415927	GILLILAND FOR CONGRESS	GILLILAND, BRIAN SCOTT	BRIAN GILLILAND	\$122,047.00	1		Not Filed	\$30,512 (est)	\$1,125.00
1505	C00136689	IBEW 349 ELECTRO - PAC		BRIAN RAPPAPORT	\$294,176.00	0	8/8/2006	24	\$48,494	\$680.00
1507	C00418954	KISER 4 CONGRESS	KISER, KRIS	CLYDE GLENN JONES	\$292,436.00	0		Not Filed	\$292,436 (est)	\$8,000.00
1508	C00406769	LIBERTY PA PAC		TROY M CASSEL	\$412,134.00	0	7/23/2006	8	\$67,160	\$900.00
1509	C00426643	MARK G FLANAGAN FOR CONGRESS	FLANAGAN, MARK GREGORY	RICHARD W WOOD	\$176,501.00	0	7/26/2006	11	\$176,501	\$2,450.00
1510	C00421685	MARK HUNT FOR CONGRESS	HUNT, MARK ALLEN	JOSEPH F SMITH	\$416,542.00	0	7/30/2006	15	\$135,592	\$2,475.00
1511	C00001180	MICHIGAN DOCTORS POLITICAL ACTION COMMITTEE - MICHIGAN STATE MEDICAL SOCIETY		SCOTT GOLDBERG	\$148,797.00	1		Not Filed	\$44,219 (est)	\$1,125.00

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2006 JULY QUARTERLY Non Election Sensitive 07/15/2006 H\_S\_P\_UNAUTH

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
1512	C00376384	MONROE COUNTY DEMOCRATIC COMMITTEE		LEIGH KEGERREIS	\$1,114,504.00	3	8/25/2006	Not Filed	\$166,235	\$9,625.00
1513	C00309468	MS CONSULTANTS INC POLITICAL ACTION COMMITTEE MSCPAC		RAYMOND J. BRIYA	\$133,933.00	0	7/25/2006	10	\$28,783	\$400.00
1514	C00410985	MURRAY ENERGY CORPORATION POLITICAL ACTION COMMITTEE		J CHRISTOPHER NEWPORT	\$235,730.00	0	7/24/2006	9	\$51,482	\$975.00
1515	C00413229	NEREE FOR US CONGRESS	NEREE, DUFIRSTSON	ROUDY THOMAS	\$114,158.00	0	7/24/2006	9	\$27,330	\$380.00
1516	C00300939	OHIO ASSOCIATION OF MORTGAGE BROKERS PAC (OAMB PAC)		STEVE R CLAY	\$122,363.00	0	8/29/2006	Not Filed	\$4,126	\$250.00
1517	C00241083	REPUBLICANS FOR CHOICE, PAC		STONE, ANN E. W. MS.	\$868,730.00	2	9/8/2006	Not Filed	\$125,858	\$6,750.00
1518	C00415067	REYNOLDS CONSTRUCTION MANAGEMENT INC PAC		RICHARD T. REYNOLDS	\$212,713.00	0	9/14/2006	Not Filed	\$203,800	\$6,500.00
1519	C00386482	RIGHTMARCH.COM PAC INC		WILLIAM GREENE	\$124,313.00	0	8/23/2006	Not Filed	\$15,650	\$500.00
1520	C00396655	SAN ANTONIO POLICE OFFICERS ASSOCIATION POLITICAL ACTION COMMITTEE		ROBERT GREJADA	\$288,490.00	2		Not Filed	\$144,244 (est)	\$6,750.00
1521	C00423061	SCHLESINGER US SENATE	SCHLESINGER, ALAN	LAURA A. WABNO	\$151,582.00	0	7/25/2006	10	\$129,409	\$1,850.00
1522	C00040725	UNITED FRESH FRUIT AND VEGETABLE ASSOCIATION FRESH POLITICAL ACTION COMMITTEE (FRESH PAC)		GUENTHER, ROBERT	\$101,672.00	0	7/24/2006	9	\$20,943	\$145.00



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Tuesday, September 26, 2006 11:00

BALLOT DEADLINE: Friday, September 29, 2006 4:00

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

SUBJECT: **Administrative Fine Program. Reason to Believe Recommendation – 2006 July Quarterly Report. Memorandum from the Assistant Staff Director Reports Analysis Division dated September 25, 2006.**

- 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 )  
)  
Administrative Fine Program Reason To )  
Believe Recommendation - 2006 July )  
Quarterly Report: )  
ANDERSON FOR CONGRESS, and ) AF# 1495  
MELINDA MILLIGAN WALLACE as )  
treasurer; )  
  
SCHLESINGER US SENATE, and ) AF# 1521  
LAURA A WABNO as treasurer; )  
  
MARK G FLANAGAN FOR CONGRESS, ) AF# 1509  
and RICHARD W WOOD as treasurer; )  
NEREE FOR US CONGRESS, and ) AF# 1515  
ROUDY THOMAS as treasurer; )  
  
COMMITTEE TO ELECT MATT ) AF# 1500  
MILLER, and DON EISERLING as )  
treasurer; )  
MARK HUNT FOR CONGRESS, and ) AF# 1510  
JOSEPH F SMITH as treasurer; )  
FRIENDS FOR DIX, and Gronewald, Matt ) AF# 1503  
as treasurer; )  
CITIZENS TO ELECT PHILLIP ) AF# 1498  
JACKSON, and KIRSTEN ROKKE as )  
treasurer; )  
GILLILAND FOR CONGRESS, and ) AF# 1504  
BRIAN GILLILAND as treasurer; )  
KISER 4 CONGRESS, and CLYDE ) AF# 1507  
GLENN JONES as treasurer; )  
LIBERTY PA PAC, and TROY M ) AF# 1508  
CASSEL as treasurer; )

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Federal Election Commission  
Certification for Administrative Fines  
September 29, 2006

KISER 4 CONGRESS, and CLYDE ) AF# 1507  
GLENN JONES as treasurer; )  
LIBERTY PA PAC, and TROY M ) AF# 1508  
CASSEL as treasurer; )  
ASIAN AMERICAN ACTION FUND ) AF# 1496  
(AAA FUND), and IRENE BUENO as )  
treasurer; )  
FLORIDA CONGRESSIONAL ) AF# 1502  
COMMITTEE, and FORREST B RAFFEL )  
as treasurer; )  
IBEW 349 ELECTRO - PAC, and BRIAN ) AF# 1505  
RAPPAPORT as treasurer; )  
MS CONSULTANTS INC POLITICAL ) AF# 1513  
ACTION COMMITTEE MSCPAC, and )  
RAYMOND J BRIYA as treasurer; )  
MURRAY ENERGY CORPORATION ) AF# 1514  
POLITICAL ACTION COMMITTEE, and )  
Newport, Christopher as treasurer; )  
UNITED FRESH FRUIT AND ) AF# 1522  
VEGETABLE ASSOCIATION FRESH )  
POLITICAL ACTION COMMITTEE )  
(FRESH PAC), and Guenther, Robert as )  
treasurer; )  
REYNOLDS CONSTRUCTION ) AF# 1518  
MANAGEMENT INC PAC, and )  
RICHARD T REYNOLDS as treasurer; )

MICHIGAN DOCTORS POLITICAL ) AF# 1511  
ACTION COMMITTEE - MICHIGAN )  
STATE MEDICAL SOCIETY, and Grant, )  
James Dr. MD as treasurer; )  
OHIO ASSOCIATION OF MORTGAGE ) AF# 1516  
BROKERS PAC (OAMB PAC), and )  
STEVE R. CLAY as treasurer; )  
REPUBLICANS FOR CHOICE PAC, and ) AF# 1517  
Stone, Ann E. W. Ms. as treasurer; )  
RIGHTMARCH.COM PAC INC, and ) AF# 1519  
Greene William as treasurer; )  
MONROE COUNTY DEMOCRATIC ) AF# 1512  
COMMITTEE, and KAY SISUNG as )  
treasurer; )

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on September 29, 2006 the Commission took the following actions on the Administrative Fine Program Reason To Believe Recommendation - 2006 July Quarterly Report as recommended in the Reports Analysis Division's Memorandum dated September 25, 2006, on the following committees:

AF#1495 Decided by a vote of 6-0 to: (1) find reason to believe that ANDERSON FOR CONGRESS, and MELINDA MILLIGAN WALLACE 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1521 Decided by a vote of 6-0 to: (1) find reason to believe that SCHLESINGER US SENATE, and LAURA A WABNO 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

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AF#1509 Decided by a vote of 6-0 to: (1) find reason to believe that MARK G FLANAGAN FOR CONGRESS, and RICHARD W WOOD 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1515 Decided by a vote of 6-0 to: (1) find reason to believe that NEREE FOR US CONGRESS, and ROUDY 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1500 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT MATT MILLER, and DON EISERLING 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1510 Decided by a vote of 6-0 to: (1) find reason to believe that MARK HUNT FOR CONGRESS, and JOSEPH F SMITH 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 Lenhard,

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

AF#1503 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS FOR DIX, and Gronewald, Matt 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1498 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS TO ELECT PHILLIP JACKSON, and KIRSTEN ROKKE 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1504 Decided by a vote of 6-0 to: (1) find reason to believe that GILLILAND FOR CONGRESS, and BRIAN GILLILAND 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1507 Decided by a vote of 6-0 to: (1) find reason to believe that KISER 4 CONGRESS, and CLYDE GLENN JONES 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1508 Decided by a vote of 6-0 to: (1) find reason to believe that LIBERTY PA PAC, and TROY M CASSEL 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1496 Decided by a vote of 6-0 to: (1) find reason to believe that ASIAN AMERICAN ACTION FUND (AAA FUND), and IRENE BUENO 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1502 Decided by a vote of 6-0 to: (1) find reason to believe that FLORIDA CONGRESSIONAL COMMITTEE, and FORREST B RAFFEL as treasurer violated 2

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

AF#1505 Decided by a vote of 6-0 to: (1) find reason to believe that IBEW 349 ELECTRO - PAC, and BRIAN RAPPAPORT 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1513 Decided by a vote of 6-0 to: (1) find reason to believe that MS CONSULTANTS INC POLITICAL ACTION COMMITTEE MSCPAC, and RAYMOND J BRIYA 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1514 Decided by a vote of 6-0 to: (1) find reason to believe that MURRAY ENERGY CORPORATION POLITICAL ACTION COMMITTEE, and Newport, Christopher 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1522 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED FRESH FRUIT AND VEGETABLE ASSOCIATION FRESH POLITICAL ACTION COMMITTEE (FRESH PAC), and Guenther, Robert 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1518 Decided by a vote of 6-0 to: (1) find reason to believe that REYNOLDS CONSTRUCTION MANAGEMENT INC PAC, and RICHARD T REYNOLDS 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

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AF#1511 Decided by a vote of 6-0 to: (1) find reason to believe that MICHIGAN DOCTORS POLITICAL ACTION COMMITTEE - MICHIGAN STATE MEDICAL SOCIETY, and Grant, James Dr. 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; (2) send the appropriate mailgram. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1516 Decided by a vote of 6-0 to: (1) find reason to believe that OHIO ASSOCIATION OF MORTGAGE BROKERS PAC (OAMB PAC), and STEVE R. CLAY 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1517 Decided by a vote of 6-0 to: (1) find reason to believe that REPUBLICANS FOR CHOICE PAC, and Stone, Ann E. W. Ms. 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1519 Decided by a vote of 6-0 to: (1) find reason to believe that RIGHTMARCH.COM PAC INC, and Greene William 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1512 Decided by a vote of 6-0 to: (1) find reason to believe that MONROE COUNTY DEMOCRATIC COMMITTEE, and KAY SISUNG 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 Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

Attest:

October 2, 2006  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 4, 2006

Irene Bueno  
Asian American Action Fund (AAA Fund)  
800 7th Street N.W., Suite #305  
Washington, DC 20001

C00351031  
AF#: 1496

Dear Irene Bueno:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period through June 30th, shall be filed no later than July 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 filed on 7/25/2006, 10 days late.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 9/29/2006, the FEC found that there is reason to believe ("RTB") that Asian American Action Fund (AAA Fund) and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before July 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 \$1,400. It is due by 11/8/2006 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$ 75,472  
Number of Days Late: 10  
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 11/8/2006. 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

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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 Asian American Action Fund (AAA Fund) 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](http://www.FEC.gov). If you have questions regarding the payment of the calculated civil money penalty, please contact Laura Sinram in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1157. 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

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**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 \$1,400 for the 2006 July 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 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 11/8/2006. 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: Asian American Action Fund (AAA Fund)

FEC ID#: C00351031

AF#: 1496

PAYMENT DUE DATE: 11/8/2006

PAYMENT AMOUNT DUE: \$ 1,400

27092602083

**ASIAN AMERICAN ACTION FUND**  
800 7<sup>th</sup> Street NW #305 \* Washington, DC 20001

October 28, 2006

Federal Election Commission  
Office of Administrative Review  
999 E Street NW  
Washington, DC 20463

Re: FEC Reason to Believe Notification (AF 1496) dated October 4, 2006

Encl: (1) Copy of Reason to Believe Notification  
(2) Copy of Refund Check issued to Yeni Wong 6/25/06

Dear Sir or Madam,

This letter is filed in response to the subject notification (see enclosure (1)). For the second quarter of 2006, the Asian American Action Fund filed a paper report with the Commission on July 10, 2006. The report was recharacterized as a Miscellaneous Filing by the Commission shortly after it was received because reported receipts slightly exceeded \$50,000. We were directed to refile the report electronically, which we did immediately upon being notified by the Commission that our original filing had been rejected.

Upon reviewing our records, we discovered that the original filing did not account for \$3,000 that was returned to Yeni Wong on June 25, 2006. We received total contributions of \$5,980 from Ms. Wong that period - \$980 in excess of the amount allowed annually under the Commission's rules. Upon determining this, we contacted Ms. Wong, and she requested a refund of \$3,000 (see enclosure (2)) to put to alternate use. Unfortunately, we neglected to account for the refund amid the rush to file our quarterly report timely.

We have amended our report to account for the refund. Our corrected year-to-date receipts, as of June 30, 2006, were \$49,310, or \$690 below the mandatory electronic filing threshold. Therefore, our paper filing submitted July 10, 2006 and received at the Commission on July 14, 2006, as amended, should be considered a timely filing.

We regret our error and any inconvenience it may have caused. We strive to be accurate in all of our reporting, and our reporting record with the Commission throughout our seven-year existence has been otherwise excellent. Based on these circumstances, we ask that the Commission set aside the proposed fine. If you have any questions related to this response, please contact our Assistant Treasurer, Warren O'Hearn, at (571) 275-9682.

27092602084

Sincerely,

A handwritten signature in black ink, appearing to read 'Irene Bueno', with a long horizontal flourish extending to the right.

IRENE BUENO  
Treasurer

Enclosures

27092602085



ASIAN  
AMERICAN  
ACTION  
FUND

June 25, 2006

Yeni Wong  
707 H Street NW  
Washington, DC 20001

Dear Yeni -




Thank you for your contribution to the AAA Fund. Unfortunately, your contribution is in excess of the legal limit. Therefore, we are sending you a check for \$3000 as a refund. Please contact me if you have any questions. Thank you.

Sincerely,

Irene Bueno  
Executive Director

Enclosure

27092602086

<b>NATIONAL ASIAN AMERICAN POLITICAL EMPOWERMENT FUND</b> 		1122 15-131/540 BRANCH 06
PAY TO THE ORDER OF <u>Yeni Wong</u>	DATE <u>June 25, 2006</u>	\$ <u>3000<sup>00</sup></u>
<u>Three thousand and 00/100</u>		DOLLARS <input checked="" type="checkbox"/> Security features included. Details on back.
FOR <u>Return</u> 		



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Via First Class Mail

November 8, 2006

Irene Bueno, as Treasurer  
Asian American Action Fund (AAA Fund)  
800 7<sup>th</sup> Street, NW, Suite 305  
Washington, D.C. 20001

C00351031  
AF# 1496

Dear Ms. Bueno:

On November 7, 2006, the Commission received your written response and supporting documentation ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding the challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

A handwritten signature in black ink that reads "Shawn Woodhead Werth".

Shawn Woodhead Werth  
Reviewing Officer  
Office of Administrative Review

27092602087

Date: November 13, 2006

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW  
CHALLENGE RECEIVED**

AF#: 1496

Committee Name: Asian American Action Fund

Committee ID#: C00351031

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

**Attachments:**

Copy of RTB Circulation Report, dated September 25, 2006 and RTB  
Certification, dated September 29, 2006: Previously Forwarded

Attachment #: N/A

Certified Return Receipt (to be forwarded at later date if not yet received) - N

Attachment #: N/A

Original Correspondence Received by RAD in Response to  
RTB Letter (Y/N): N

Attachment #: N/A

**RAD Staff Declaration:**

-July Quarterly Prior Report Notice, dated June 21, 2006.

-MS-P Letter, dated July 19, 2006.

-RTB Letter, dated October 4, 2006.

Attachment #: 2

Other RAD Information: Letter Tracking and Fax info.

Attachment#: 3

27092602088

## DECLARATION OF PATRICIA CARMONA

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the research conducted with regard to the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to the Asian American Action Fund (AAA Fund):
  - Prior Notice, dated June 21, 2006, referencing the 2006 July Quarterly Report.
  - MS-P Letter, dated July 19, 2006, referencing the 2006 July Quarterly Report.
  - Reason-to-Believe Letter, dated October 4, 2006, referencing the 2006 July Quarterly Report
3. I hereby certify that I have searched the Commission's public records and find that the Asian American Action Fund (AAA Fund) electronically filed the 2006 July Quarterly Report with the Commission on July 25, 2006.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 13<sup>th</sup> day of November, 2006.



Patricia Carmona  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

# QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

June 21, 2006

## REPORTING DATES

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
July Quarterly	04/01/06 - 06/30/06	07/15/06	07/15/06 <sup>2</sup>

## WHO MUST FILE

Principal campaign committees of congressional candidates<sup>3</sup> (including unopposed candidates and candidates whose names do not appear on the ballot) must file a July Quarterly Report by July 15, 2006.<sup>4</sup>

Campaigns that raise or spend more than \$5,000 for the 2006 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2006, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

## METHOD OF FILING

Reports sent by registered or certified mail must be postmarked by the mailing date (please note that a certificate of mailing is not an acceptable method). Committees should keep the mailing receipt with its postmark as proof of filing.

If using overnight mail, the delivery service must receive the report by the mailing date. "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with an on-line tracking system and scheduled for next business day delivery. Reports filed by any other means must be received by the Commission (or Secretary of the Senate for Senate committees) by the filing date.

## ELECTRONIC FILING

U.S. House committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that have reason to expect to do so, must submit their reports electronically. For additional information, review the enclosed handout entitled "Electronic Filing," call the FEC's Electronic Filing office at (800) 424-9530 or (202) 694-1642, and visit our web site at [www.fec.gov/elecfil/electron.shtml](http://www.fec.gov/elecfil/electron.shtml).

<sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

<sup>2</sup>Notice that this filing date falls on a weekend. Filing dates are not extended when they fall on nonworking days.

<sup>3</sup>An individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports.

<sup>4</sup>If the campaign has more than one authorized committee in addition to the principal campaign committee, the principal campaign committee must also file a consolidated report on Form 3Z.

(over)

27092602090

REPORTING SCHEDULE FOR REMAINDER OF 2006

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
October Quarterly	07/01/06 - 09/30/06	10/15/06	10/15/06 <sup>2</sup>
Pre-General	10/01/06 - 10/18/06	10/23/06	10/26/06
48-Hour Notices	10/19/06 - 11/04/06	----see below----	
Post-General	10/19/06 - 11/27/06	12/07/06	12/07/06
Year-End	11/28/06 - 12/31/06	01/31/07	01/31/07

**Note:** A committee whose candidate participates in a 2006 state primary, nominating convention or runoff election – even if unopposed – must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports. Separate notices will be sent to explain these additional reporting obligations. See the January 2006 Record, which can be found on the FEC web site at [www.fec.gov/pages/record.shtml](http://www.fec.gov/pages/record.shtml).

**48 HOUR NOTICES ON CONTRIBUTIONS**

Notices are required if the committee receives contributions (**including in-kind gifts or advances of goods or services; Loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee**) of \$1,000 or more, during the period less than 20 days but more than 48 hours before any election in which the candidate is running. The notices must reach the appropriate federal filing office within 48 hours of the committee’s receipt of the contribution(s). Senate candidates must transmit them to the Secretary of the Senate at (202) 224-1851. **Campaign committees that file electronically MUST submit their 48-hour notices electronically.** For more information, visit the FEC web site at [www.fec.gov/electfil/online.shtml](http://www.fec.gov/electfil/online.shtml). U.S. House candidates faxing 48-hour notices should transmit them to the FEC at (202) 219-0174.

**COMPLIANCE**

- Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.
- Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports (including 48-hour notices) on time may be subject to civil money penalties up to \$16,000 (or more for repeat late- and non-filers).<sup>5</sup> For additional information, see the enclosed handout entitled, “Administrative Fine Program,” and visit the FEC web site at [www.fec.gov/af.shtml](http://www.fec.gov/af.shtml).
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.
- Electronic filers who instead file on paper or submit an electronic report (either by direct transmission or on 3.5” diskette) that does not pass the validation test will be considered non-filers and may be subject to enforcement actions (including administrative fines).

<sup>1</sup>See footnote #1, on reverse side.

<sup>2</sup>See footnote #2, on reverse side.

<sup>5</sup>Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$16,000, even for first-time violations.

**FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100**

27092602091



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MS-P

July 19, 2006

Yeni Wong, Treasurer  
Asian American Action Fund (AAA Fund)  
800 7<sup>th</sup> Street NW  
Suite #305  
Washington, DC 20001

Identification Number: C00351031

Reference: July Quarterly Report (4/01/2006 – 6/30/2006)

Dear Treasurer:

Your Committee has failed to file the above-referenced report in an electronic format. In accordance with 11 C.F.R. 104.18, you are required to file this report electronically. 11 C.F.R. 104.18 further states that reports filed on paper do not satisfy a political committee's filing obligation. Your reporting obligation will not be satisfied until you file the above-referenced report in an electronic format. You should also review 11 C.F.R. 104.18 of the regulations regarding your future reporting obligations.

It is important that you file this report in an electronic format immediately with the Federal Election Commission. The failure to timely file this report may result in civil money penalties, an audit or legal enforcement action. The civil money calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have further questions regarding this matter, please contact Kim Doughty in the Reports Analysis Division on our toll free number (800) 424-9530. Our local number is 202-694-1130.

Sincerely,

A handwritten signature in cursive script, appearing to read "John D. Gibson".

John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

20060719 16:36:07

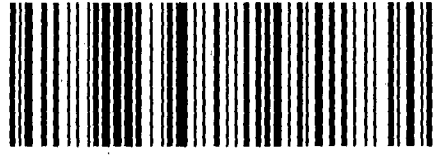
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Official Business

Irene Bueno  
Asian American Action Fund  
800 7th Street N.W., Suite #30  
Washington, DC 20001  
C00351031

27092602093

7005 1820 0003 8239 5357  
7005 1820 0003 8239 5357



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL™**

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)  
For delivery information visit our website at www.usps.com®

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To  
Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4®  
**Irene Bueno  
800 7th St. NW, Suite 300  
Washington, DC 20001**

PS Form 3800, June 2002 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return this card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IRENE BUENO  
800 7th St N.W., Suite 305  
Washington, DC 20001

2. Article Number

(Transfer from service label)

7005 1820 0003 8239 5357

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

27092602094



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2007 MAR -7 P 3:42

March 8, 2007

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *PMC*  
STAFF DIRECTOR

MARGARITA MAISONET *MM*  
CHIEF COMPLIANCE OFFICER

FROM: SHAWN WOODHEAD WERTH *SWW*  
REVIEWING OFFICER  
OFFICE OF ADMINISTRATIVE REVIEW

SUBJECT: AF# 1496 - ASIAN AMERICAN ACTION FUND (AAA FUND)  
AND IRENE BUENO, AS TREASURER (C00351031)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

27092602095



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 8, 2007

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 1496 – Asian American Action Fund (AAA Fund) and Irene Bueno, as Treasurer (C00351031)

On September 29, 2006, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2006 July Quarterly Report and made a preliminary determination that the civil money penalty was \$1,400 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division on October 4, 2006 of the Commission's RTB finding and civil money penalty.

**Respondents' Response**

On November 7, 2006, the Commission received a written response ("challenge") from the Treasurer who states that they filed a paper report on July 10, 2006. Because the receipts exceeded \$50,000, they were told to refile the report electronically, which they did. They later discovered that the original filing did not account for \$3,000 that was returned to a contributor on June 25, 2006. Ms. Bueno states the report was amended to account for the refund, resulting in corrected year-to-date receipts below the mandatory electronic filing threshold. Included in the challenge is a copy of the \$3,000 refund check to the contributor.

**Analysis**

The July Quarterly Report was electronically filed on July 25, 2006, 10 days late. A paper copy was sent via overnight delivery service on July 14, 2006 and received on July 15, 2006.

The Federal Election Campaign Act ("Act") requires that a quarterly report for the period April 1 through June 30 be filed by the treasurer of a political action committee no later than July 15<sup>th</sup> in a calendar year in which a regularly scheduled general election is held. 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i). Political committees required to file reports with the Commission must file in an electronic format if they have received contributions or made expenditures or expect to receive contributions or make expenditures in a calendar year aggregating in excess of \$50,000. 2 U.S.C. § 434(a)(11) and 11 C.F.R. § 104.18(a).

At the time of the Commission's RTB finding, Commission records indicated that the respondents' total contributions for calendar year 2006 were \$52,390. On October 28, 2006, they filed an amended July Quarterly Report disclosing a June 2006 refund of \$3,000 to a contributor and reduced total contributions to \$48,639 for the reporting period and \$49,390 for total year-to-date contributions; however, the respondents incorrectly disclosed the refund as a negative entry on Schedule A of their amended report.

As provided for at 11 C.F.R. § 104.8(d)(4), a contribution refunded to the contributor is correctly disclosed as a disbursement on Schedule B of the report covering the reporting period in which the refund is made. Therefore, the \$3,000 refund should have been disclosed as a disbursement on Schedule B rather than a negative entry on Schedule A. This means that there is

27092602096

no change in their total contributions of \$51,639 for the July Quarterly reporting period and net contributions of \$52,390 for 2006, and that they were required to file the report electronically.

On July 14, 2006, the respondents submitted a paper copy of the July Quarterly Report by overnight delivery service via next business day delivery, one of the "safe harbor methods" provided for at 2 U.S.C. § 434(a)(5). It was received on July 15. They were notified by RAD on July 19 that the paper filing was unacceptable and that they needed to file it electronically, which they did on July 25. The paper copy would have been an acceptable and timely filing had they not exceeded the \$50,000 mandatory electronic filing threshold on this same report. The Reviewing Officer, therefore, recommends that the Commission take no further action and close the file.

### **OAR Recommendations**

- (1) Take no further action in AF# 1496 against the Asian American Action Fund (AAA Fund) and Irene Bueno, as Treasurer, with respect to 2 U.S.C. § 434(a) and close the file; and
- (2) Send the appropriate letter.

Reviewing Analyst: Dayna C. Brown

#### Attachments

- Attachment 1 - Challenge Received from Respondents
- Attachment 2 - Declaration from RAD
- Attachment 3 -
- Attachment 4 - Declaration from OAR

**ASIAN AMERICAN ACTION FUND**  
800 7<sup>th</sup> Street NW #305 \* Washington, DC 20001

October 28, 2006

Federal Election Commission  
Office of Administrative Review  
999 E Street NW  
Washington, DC 20463

Re: FEC Reason to Believe Notification (AF 1496) dated October 4, 2006

Encl: (1) Copy of Reason to Believe Notification  
(2) Copy of Refund Check issued to Yeni Wong 6/25/06

Dear Sir or Madam,

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Upon reviewing our records, we discovered that the original filing did not account for \$3,000 that was returned to Yeni Wong on June 25, 2006. We received total contributions of \$5,980 from Ms. Wong that period - \$980 in excess of the amount allowed annually under the Commission's rules. Upon determining this, we contacted Ms. Wong, and she requested a refund of \$3,000 (see enclosure (2)) to put to alternate use. Unfortunately, we neglected to account for the refund amid the rush to file our quarterly report timely.

We have amended our report to account for the refund. Our corrected year-to-date receipts, as of June 30, 2006, were \$49,310, or \$690 below the mandatory electronic filing threshold. Therefore, our paper filing submitted July 10, 2006 and received at the Commission on July 14, 2006, as amended, should be considered a timely filing.

We regret our error and any inconvenience it may have caused. We strive to be accurate in all of our reporting, and our reporting record with the Commission throughout our seven-year existence has been otherwise excellent. Based on these circumstances, we ask that the Commission set aside the proposed fine. If you have any questions related to this response, please contact our Assistant Treasurer, Warren O'Hearn, at (571) 275-9682.

27092602098

Sincerely,

A handwritten signature in black ink, appearing to read 'Irene Bueno', with a long horizontal flourish extending to the right.

IRENE BUENO  
Treasurer

Enclosures

27092602099



ASIAN  
AMERICAN  
ACTION  
FUND

June 25, 2006

Yeni Wong  
707 H Street NW  
Washington, DC 20001

Dear Yeni -

Thank you for your contribution to the AAA Fund. Unfortunately, your contribution is in excess of the legal limit. Therefore, we are sending you a check for \$3000 as a refund. Please contact me if you have any questions. Thank you.

Sincerely,

Irene Bueno  
Executive Director

Enclosure

27092602100

NATIONAL ASIAN AMERICAN POLITICAL  
EMPOWERMENT FUND

1122

15-131/540  
BRANCH 06

PAY  
TO THE  
ORDER OF

Yeni Wong

DATE

June 25, 2006

\$ 3000<sup>00</sup>

Three thousand and 00/100

DOLLARS Security features included. Details on back.

THE  
**ADAMS**  
NATIONAL BANK  
802 7TH STREET, N.W. WASHINGTON, DC 20001

FOR

Refund

MP

**DECLARATION OF PATRICIA CARMONA**

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the research conducted with regard to the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to the Asian American Action Fund (AAA Fund):
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3. I hereby certify that I have searched the Commission's public records and find that the Asian American Action Fund (AAA Fund) electronically filed the 2006 July Quarterly Report with the Commission on July 25, 2006.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 13<sup>th</sup> day of November, 2006.



Patricia Carmona  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

27092602101

# QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

June 21, 2006

## REPORTING DATES

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<sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

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<sup>3</sup>An individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports.

<sup>4</sup>If the campaign has more than one authorized committee in addition to the principal campaign committee, the principal campaign committee must also file a consolidated report on Form 3Z.

(over)

27092602102

REPORTING SCHEDULE FOR REMAINDER OF 2006

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
October Quarterly	07/01/06 - 09/30/06	10/15/06	10/15/06 <sup>2</sup>
Pre-General	10/01/06 - 10/18/06	10/23/06	10/26/06
48-Hour Notices	10/19/06 - 11/04/06	----see below----	
Post-General	10/19/06 - 11/27/06	12/07/06	12/07/06
Year-End	11/28/06 - 12/31/06	01/31/07	01/31/07

**Note:** A committee whose candidate participates in a 2006 state primary, nominating convention or runoff election – even if unopposed – must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports. Separate notices will be sent to explain these additional reporting obligations. See the January 2006 Record, which can be found on the FEC web site at [www.fec.gov/pages/record.shtml](http://www.fec.gov/pages/record.shtml).

**48 HOUR NOTICES ON CONTRIBUTIONS**

Notices are required if the committee receives contributions (**including in-kind gifts or advances of goods or services; Loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee**) of \$1,000 or more, during the period less than 20 days but more than 48 hours before any election in which the candidate is running. The notices must reach the appropriate federal filing office within 48 hours of the committee’s receipt of the contribution(s). Senate candidates must transmit them to the Secretary of the Senate at (202) 224-1851. **Campaign committees that file electronically MUST submit their 48-hour notices electronically.** For more information, visit the FEC web site at [www.fec.gov/electfil/online.shtml](http://www.fec.gov/electfil/online.shtml). U.S. House candidates faxing 48-hour notices should transmit them to the FEC at (202) 219-0174.

**COMPLIANCE**

- Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.
- Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports (including 48-hour notices) on time may be subject to civil money penalties up to \$16,000 (or more for repeat late- and non-filers).<sup>5</sup> For additional information, see the enclosed handout entitled, “Administrative Fine Program,” and visit the FEC web site at [www.fec.gov/af.shtml](http://www.fec.gov/af.shtml).
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.
- Electronic filers who instead file on paper or submit an electronic report (either by direct transmission or on 3.5” diskette) that does not pass the validation test will be considered non-filers and may be subject to enforcement actions (including administrative fines).

<sup>1</sup>See footnote #1, on reverse side.

<sup>2</sup>See footnote #2, on reverse side.

<sup>5</sup>Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$16,000, even for first-time violations.

270926002103



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MS-P

July 19, 2006

Yeni Wong, Treasurer  
Asian American Action Fund (AAA Fund)  
800 7<sup>th</sup> Street NW  
Suite #305  
Washington, DC 20001

Identification Number: C00351031

Reference: July Quarterly Report (4/01/2006 - 6/30/2006)

Dear Treasurer:

Your Committee has failed to file the above-referenced report in an electronic format. In accordance with 11 C.F.R. 104.18, you are required to file this report electronically. 11 C.F.R. 104.18 further states that reports filed on paper do not satisfy a political committee's filing obligation. Your reporting obligation will not be satisfied until you file the above-referenced report in an electronic format. You should also review 11 C.F.R. 104.18 of the regulations regarding your future reporting obligations.

It is important that you file this report in an electronic format immediately with the Federal Election Commission. The failure to timely file this report may result in civil money penalties, an audit or legal enforcement action. The civil money calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have further questions regarding this matter, please contact Kim Doughty in the Reports Analysis Division on our toll free number (800) 424-9530. Our local number is 202-694-1130.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Gibson".

John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

27092602104



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 4, 2006

Irene Bueno  
Asian American Action Fund (AAA Fund)  
800 7th Street N.W., Suite #305  
Washington, DC 20001

C00351031  
AF#: 1496

Dear Irene Bueno:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period through June 30th, shall be filed no later than July 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 filed on 7/25/2006, 10 days late.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 9/29/2006, the FEC found that there is reason to believe ("RTB") that Asian American Action Fund (AAA Fund) and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before July 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 \$1,400. It is due by 11/8/2006 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$ 75,472  
Number of Days Late: 10  
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 11/8/2006. 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

27092602105

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**

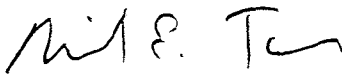
If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Asian American Action Fund (AAA Fund) and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

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](http://www.FEC.gov). If you have questions regarding the payment of the calculated civil money penalty, please contact Laura Sinram in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1157. 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

27092602106

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**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 \$1,400 for the 2006 July 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 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 11/8/2006. 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: Asian American Action Fund (AAA Fund)

FEC ID#: C00351031

AF#: 1496

PAYMENT DUE DATE: 11/8/2006

PAYMENT AMOUNT DUE: \$ 1,400

27092602107

### DECLARATION OF DAYNA C. BROWN

- 1) I am the Reviewing Analyst in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Analyst, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The 2006 July Quarterly Report is due July 15, 2006. If the report is deposited with an overnight delivery service with an on-line tracking system and scheduled for next business day delivery, it is considered filed upon deposit with the service.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - a) Page 1 of the Summary Page, Page 3 of the Detailed Summary Page, Page 20 of Schedule A, and the Envelope Replacement Page for the paper copy of the report filed via overnight delivery by the Asian American Action Fund (AAA Fund) and Yeni Wong, as Treasurer. According to the Commission's records, the paper copy covers the period from April 1 through June 30, 2006, was deposited on July 14, 2006, and was received on July 15, 2006. On Line 11(d), it lists \$52,390.00 in calendar year-to-date total contributions and \$51,639.00 in total contributions for this reporting period. Schedule A lists three contributions totaling \$5,980.00 from Yeni Wong dated June 24, 2006;
  - b) Page 1 of the Summary Page for the 2006 July Quarterly Report electronically filed by the Asian American Action Fund (AAA Fund) and Yeni Wong, as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2006 and was received on July 25, 2006; and
  - c) Page 1 of the Summary Page, Page 3 of the Detailed Summary Page, and Page 21 of Schedule A for the Amended 2006 July Quarterly Report electronically filed by the Asian American Action Fund (AAA Fund) and Irene Bueno, as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2006 and was received on October 28, 2006. On Line 11(d), it lists \$49,390.00 in calendar year-to-date total contributions and \$48,639.00 in total contributions for this reporting period. Schedule A lists a negative contribution of \$3,000.00 for Yeni Wong dated June 24, 2006.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 8<sup>th</sup> of March, 2007.



Dayna C. Brown  
Reviewing Analyst  
Office of Administrative Review  
Federal Election Commission

27092692108

RECEIVED  
FEC MAIL  
OPERATIONS CENTER  
2006 JUL 15 A 10:53

**FEC  
FORM 3X**

**REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Asian American Action Fund

ADDRESS (number and street) 800 7th Street NW

Suite 305

Check if different than previously reported. (ACC)

Washington DC 20001

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE

C00351031

3. IS THIS REPORT  NEW (N) OR  AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
- July 15 Quarterly Report (Q2)
- October 15 Quarterly Report (Q3)
- January 31 Quarterly Report (YE)
- July 31 Mid-Year Report (Non-election Year Only) (MY)
- Termination Report (TER)

- (b) Monthly Report Due On:
- |                                      |                                      |                                       |  |
|--------------------------------------|--------------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Feb 20 (M2) | <input type="checkbox"/> May 20 (M5) | <input type="checkbox"/> Aug 20 (M8)  | <input type="checkbox"/> Nov 20 (M11) (Non-Election Year Only) |
| <input type="checkbox"/> Mar 20 (M3) | <input type="checkbox"/> Jun 20 (M6) | <input type="checkbox"/> Sep 20 (M9)  | <input type="checkbox"/> Dec 20 (M12) (Non-Election Year Only) |
| <input type="checkbox"/> Apr 20 (M4) | <input type="checkbox"/> Jul 20 (M7) | <input type="checkbox"/> Oct 20 (M10) | <input type="checkbox"/> Jan 31 (YE)                           |

(c) 12-Day PRE-Election Report for the:

<input type="checkbox"/> Primary (12P)	<input type="checkbox"/> General (12G)	<input type="checkbox"/> Runoff (12R)
<input type="checkbox"/> Convention (12C)	<input type="checkbox"/> Special (12S)	

Election on \_\_\_\_\_ in the State of \_\_\_\_\_

(d) 30-Day Post-Election Report for the:

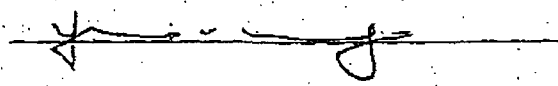
<input type="checkbox"/> General (30G)	<input type="checkbox"/> Runoff (30R)	<input type="checkbox"/> Special (30S)
--	---------------------------------------	--

Election on \_\_\_\_\_ in the State of \_\_\_\_\_

5. Covering Period 04 01 2006 through 06 30 2006

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Yeni Wong

Signature of Treasurer  Date 07 10 2006

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office Use Only									
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**FEC FORM 3X**  
(Rev. 02/2003)

27092902109  
26039122854

**DETAILED SUMMARY PAGE  
OF RECEIPTS**

FEC Form 3X (Rev. 02/2003)

Page 3

Write or Type Committee Name  
Asian American Action Fund

Report Covering the Period: From: 

M	M
04	01

Y	Y	Y	Y
2	0	0	6

 To: 

M	M
06	30

Y	Y	Y	Y
2	0	0	6

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A) .....	33173.00	33923.00
(ii) Unitemized .....	7966.00	7967.00
(iii) TOTAL (add Lines 11(a)(i) and (ii)) .....	41139.00	41890.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs) .....	10500.00	10500.00
(d) Total Contributions (add Lines 11(a)(iii), (b) and (c)) (Carry Totals to Line 33, page 5) .....	51639.00	52390.00
12. Transfers From Affiliated/Other Party Committees .....	0.00	0.00
13. All Loans Received .....	0.00	0.00
14. Loan Repayments Received .....	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5) .....	0.00	0.00
16. Refunds of Contributions Made to Federal candidates and Other Political Committees .....	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.) .....	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3) .....	0.00	0.00
(b) Levin Funds (from Schedule H5) .....	0.00	0.00
(c) Total Transfer (add 18(a) and 18(b)) .....	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)) .....	51639.00	52390.00
20. Total Federal Receipts (subtract Line 18(c) from Line 19) .....	51639.00	52390.00

26799292110 95927165099

**SCHEDULE A (FEC Form 3X)  
ITEMIZED RECEIPTS**

Use separate schedule(s)  
or each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 20 / 29  
(check only one)  
 11a    11b    11c    12  
 13    14    15    16    17

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)  
Asian American Action Fund

**A.** Full Name (Last, First, Middle Initial)  
Yeni Wong  
Mailing Address 801 Pennsylvania Avenue NW #1024  
City Washington State DC Zip Code 20004  
FEC ID number of contributing federal political committee. C  
Name of Employer Riverdale International Occupation President/CEO  
Receipt For:  Primary  General  Other (specify)   
Aggregate Year-to-Date 5000.00

Date of Receipt 06 / 24 / 2006  
Transaction ID: SA11A1.5949  
Amount of Each Receipt this Period 5000.00

**B.** Full Name (Last, First, Middle Initial)  
Yeni Wong  
Mailing Address 801 Pennsylvania Avenue NW #1024  
City Washington State DC Zip Code 20004  
FEC ID number of contributing federal political committee. C  
Name of Employer Riverdale International Occupation President/CEO  
Receipt For:  Primary  General  Other (specify)   
Aggregate Year-to-Date 5900.00

Date of Receipt 06 / 24 / 2006  
Transaction ID: SA11A1.1867  
Amount of Each Receipt this Period 900.00  
In-kind - Event Donation

**C.** Full Name (Last, First, Middle Initial)  
Yeni Wong  
Mailing Address 801 Pennsylvania Avenue NW #1024  
City Washington State DC Zip Code 20004  
FEC ID number of contributing federal political committee. C  
Name of Employer Riverdale International Occupation President/CEO  
Receipt For:  Primary  General  Other (specify)   
Aggregate Year-to-Date 5980.00

Date of Receipt 06 / 24 / 2006  
Transaction ID: SA11A1.5977  
Amount of Each Receipt this Period 80.00  
In-kind - Event Donation

SUBTOTAL of Receipts This Page (optional) 5980.00  
TOTAL This Period (last page this line number only)

2609919293731



FEC FORM 3X

REPORT OF RECEIPTS AND DISBURSEMENTS For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full) USE FEC MAILING LABEL OR TYPE OR PRINTY Example: If typing, type over the lines

Asian American Action Fund

ADDRESS (number and street) 800 7th Street NW Suite 305 Washington DC 20001

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE

C00051031

3. IS THIS REPORT NEW OR AMENDED

4. TYPE OF REPORT (Choose One) (b) Monthly Report Due On: Feb 20 (M2) May 20 (M5) Aug 20 (M8) Nov 20 (M11) (Non-Election Year Only) Mar 20 (M3) Jun 20 (M6) Sep 20 (M9) Dec 20 (M12) (Non-Election Year Only) Apr 20 (M4) Jul 20 (M7) Oct 20 (M10) Jan 31 (YE) (c) 12-Day PRE-Election Report for the: Primary (12P) General (12G) Runoff (12R) Convention (12C) Special (12G) Election on in the State of (d) 30-Day Post-Election Report for the: General (30G) Runoff (30R) Special (30S) Election on in the State of

5. Covering Period 04 01 2008 through 06 30 2008

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Yeri Wong

Signature of Treasurer Electronically Filed by Yeri Wong Date 07 10 2008

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

27092602117

**FEC  
FORM 3X**

**REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full) **USE FEC MAILING LABEL OR TYPE OR PRINTY** Example: If typing, type over the lines

Asian American Action Fund

ADDRESS (number and street)

800 7th Street NW

Suite 305

Check if different than previously reported. (ACC)

Washington

DC

20001

2. **FEC IDENTIFICATION NUMBER** CITY STATE ZIP CODE

C00051031

3. IS THIS REPORT NEW (N) OR x AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)  
X July 15 Quarterly Report (Q2)  
October 15 Quarterly Report (Q3)  
January 31 Quarterly Report (YE)

July 31 Mid-Year Report (Non-election Year Only) (MY)

Termination Report (TER)

(b) Monthly Report Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11) (Non-Election Year Only)

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12) (Non-Election Year Only)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

(c) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the State of

(d) 30-Day Post-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the State of

5. Covering Period 04 01 2006 through 06 30 2006

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Irene Bueno

Signature of Treasurer Electronically Filed by Irene Bueno Date 10 28 2006

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office Use Only

**FEC FORM 3X**  
(Rev. 02/2003)

27092602114

**DETAILED SUMMARY PAGE  
OF RECEIPTS**

FEC Form 3X (Rev. 02/2003)

Page 3

Write or Type Committee Name  
Asian American Action Fund

Report Covering the Period: From: <sup>M</sup>04 <sup>-</sup>01 <sup>-</sup>2006 To: <sup>M</sup>06 <sup>-</sup>30 <sup>-</sup>2006

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A) .....	30173.00	30923.00
(ii) Unitemized .....	7966.00	7967.00
(iii) TOTAL (add Lines 11(a)(i) and (ii)) .....	38139.00	38890.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs) .....	10500.00	10500.00
(d) Total Contributions (add Lines 11(a)(iii),(b) and (c)) (Carry Totals to Line 33, page 5) .....	48639.00	49390.00
12. Transfers From Affiliated/Other Party Committees .....	0.00	0.00
13. All Loans Received .....	0.00	0.00
14. Loan Repayments Received .....	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5) .....	0.00	0.00
16. Refunds of Contributions Made to Federal candidates and Other Political Committees .....	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.) .....	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3) .....	0.00	0.00
(b) Levin Funds (from Schedule H5) .....	0.00	0.00
(c) Total Transfer (add 18(a) and 18(b)) .....	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)) .....	48639.00	49390.00
20. Total Federal Receipts (subtract Line 18(c) from Line 19) .....	48639.00	49390.00

27092602115

**SCHEDULE A (FEC Form 3X)  
ITEMIZED RECEIPTS**

Use separate schedule(s)  
or each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 21 / 28

(check only one)

<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input type="checkbox"/> 15	<input type="checkbox"/> 16
			<input type="checkbox"/> 17

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)  
Asian American Action Fund

<b>A.</b> Full Name (Last, First, Middle Initial) Yeri Wang Mailing Address 801 Pennsylvania Avenue NW #1024 City Washington State DC Zip Code 20004 FEC ID number of contributing federal political committee. <b>C</b>		Date of Receipt M Y D D Y Y 06 24 2006 Transaction ID: SA11A1.6109 Amount of Each Receipt this Period -3000.00
Name of Employer Riverside International Occupation President/CEO Receipt For: Primary General Other (specify) ▼ Aggregate Year-to-Date ▼ 2980.00		
<b>B.</b> Full Name (Last, First, Middle Initial) John Yang Mailing Address 8 Columbus Street City Arlington State VA Zip Code 22204 FEC ID number of contributing federal political committee. <b>C</b>		Date of Receipt M Y D D Y Y 08 24 2008 Transaction ID: SA11A1.5955 Amount of Each Receipt this Period 1100.00
Name of Employer Wiley, Rein & Fielding Occupation Law Partner Receipt For: Primary General Other (specify) ▼ Aggregate Year-to-Date ▼ 1100.00		
<b>C.</b> Full Name (Last, First, Middle Initial) John Yang Mailing Address 8 Columbus Street City Arlington State VA Zip Code 22204 FEC ID number of contributing federal political committee. <b>C</b>		Date of Receipt M Y D D Y Y 06 24 2006 Transaction ID: SA11A1.5976 Amount of Each Receipt this Period 180.00 In-kind - Event Donation
Name of Employer Wiley, Rein & Fielding Occupation Law Partner Receipt For: Primary General Other (specify) ▼ Aggregate Year-to-Date ▼ 1280.00		
SUBTOTAL of Receipts This Page (optional) ..... ▶		-1720.00
TOTAL This Period (last page this line number only) ..... ▶		30173.00

27092602116



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

March 8, 2007

Irene Bueno, as Treasurer  
Asian American Action Fund (AAA Fund)  
800 7<sup>th</sup> Street NW, Suite #305  
Washington, DC 20001

C00351031  
AF# 1496

Dear Ms. Bueno:

On September 29, 2006, the Federal Election Commission ("Commission") found reason to believe ("RTB") that the Asian American Action Fund (AAA Fund) and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to timely file the 2006 July Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$1,400 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Dayna C. Brown".

Dayna C. Brown  
Reviewing Analyst  
Office of Administrative Review

Attachment

2702602117



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2007 MAR 29 P 12:07  
March 29, 2007

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *mnc*  
STAFF DIRECTOR

MARGARITA MAISONET *mm*  
CHIEF COMPLIANCE OFFICER

FROM: SHAWN WOODHEAD WERTZ *SW*  
REVIEWING OFFICER  
OFFICE OF ADMINISTRATIVE REVIEW

SUBJECT: FINAL DETERMINATION RECOMMENDATION IN AF# 1496 –  
ASIAN AMERICAN ACTION FUND AND IRENE BUENO, AS  
TREASURER (C00351031)

On September 29, 2006, the Commission found reason to believe that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2006 July Quarterly Report and also made a preliminary determination that the civil money penalty was \$1,400 based on the schedule of penalties at 11 C.F.R. § 111.43.

On November 7, 2006, the Commission received the respondents' written response ("challenge"). The challenge presented evidence that the respondents sent a paper copy of the report by one of the "safe harbor methods" provided for at 2 U.S.C. § 434(a)(5). It would have been an acceptable and timely filing had they not exceeded the \$50,000 mandatory electronic filing threshold on this same report. They electronically filed the report on July 25 after receipt of the July 19<sup>th</sup> failure to electronically file notice. The Reviewing Officer, therefore, recommended that the Commission take no further action and close the file.

The Reviewing Officer's recommendation dated March 8, 2007 was forwarded to the Commission. A copy was simultaneously forwarded to the respondents. Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in the respondents' challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

**OAR Recommendations**

- (1) Take no further action in AF# 1496 against the Asian American Action Fund (AAA Fund) and Irene Bueno, as Treasurer, with respect to 2 U.S.C. § 434(a) and close the file; and
- (2) Send the appropriate letter.

27092602118



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Thursday, March 29, 2007 4:00

BALLOT DEADLINE: Tuesday, April 03, 2007 4:00

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

SUBJECT: **Final Determination Recommendation in AF #1496 –  
Asian American Action Fund and Irene Bueno,  
as treasurer (C00351031) Memorandum from the  
Reviewing Officer dated March 29, 2007.**

- 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

27092602119

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Final Determination Recommendation: ) AF 1496  
Asian American Action Fund and Irene )  
Bueno, as treasurer. (C00351031) )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on April 03, 2007, the Commission decided by a vote of 5-0 to take the following actions in AF 1496:

1. Take no further action in AF #1496 against the Asian American Action Fund (AAA Fund) and Irene Bueno, as Treasurer, with respect to 2 U.S.C. § 434(a) and close the file.
2. Send the appropriate letter.

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

Attest:

April 3, 2007  
Date

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

27092602120



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 10, 2007

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Irene Bueno, as Treasurer  
Asian American Action Fund (AAA Fund)  
800 7<sup>th</sup> Street, NW, Suite #305  
Washington, D.C. 20001

ID# C00351031  
AF# 1496

Dear Ms. Bueno:

On September 29, 2006, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Asian American Action Fund (AAA Fund) and you, as Treasurer ("the respondents"), violated 2 U.S.C. § 434(a) for failing to timely file the 2006 July Quarterly Report. By letter dated October 4, 2006, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$1,400 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On November 7, 2006, the Office of Administrative Review received the written response ("challenge") challenging the RTB finding.

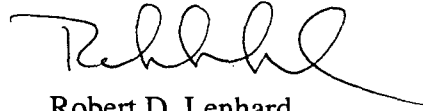
The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the challenge. Based on this review, the Reviewing Officer recommended that the Commission take no further action because the challenge presented evidence that you sent a paper copy of the report by one of the "safe harbor" methods provided for at 2 U.S.C. § 434(a)(5). It would have been an acceptable and timely filing had the Committee not exceeded the \$50,000 mandatory electronic filing threshold on this same report. On July 25, you electronically filed the report after receipt of the July 19<sup>th</sup> failure to electronically file notice. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on March 8, 2007.

On April 3, 2007, the Commission adopted the Reviewing Officer's recommendation to take no further action against the respondents with respect to 2 U.S.C. § 434(a). 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 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

27092602121

If you have any questions regarding this matter, please contact Shawn Woodhead Werth on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Lenhard", with a long horizontal flourish extending to the right.

Robert D. Lenhard  
Chairman

27092602122



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1496

DATE SCANNED 6/6/07

SCANNER NO. 1

SCAN OPERATOR EES

27092602123