



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1525

DATE SCANNED 3/1/07

SCANNER NO. 1

SCAN OPERATOR SES

27092593555



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2006 OCT -5 October 5, 2006

SENSITIVE

MEMORANDUM

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *MC*
STAFF DIRECTOR

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

SUBJECT: ADMINISTRATIVE FINE PROGRAM
REASON TO BELIEVE RECOMMENDATION -
12 DAY PRE-PRIMARY REPORT (NV)

Attached is the name of a political committee and its treasurer who failed to timely file the 2006 12 Day Pre-Primary Report for Nevada in accordance with 2 U.S.C. 434(a). On July 10, 2006, Prior Notice was sent to the political committee and treasurer, informing them that the report was due on August 3, 2006 and should cover the period from July 1, 2006 through July 26, 2006.

The committee appearing on the list failed to timely file the election sensitive report by the required due date. The committee filed the report more than four days before the August 15, 2006 Primary Election in Nevada and thus the report would be considered late. In accordance with the schedule of civil money penalties located within 11 CFR §111.43, the committee should be assessed the civil money penalty outlined on the attached list.

Recommendation

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

27-092593556

27092593557

10/5/2006 11:17 AM

Federal Election Commission
Reason to Believe Circulation Report
2006 PRE-PRIMARY Election Sensitive Report (NV) - 08/03/2006

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1525	C00421628	WEGNER FOR CONGRESS	WEGNER, KENNETH ALEXANDER	JEANNE SCHNEIDER	\$159,254	0	8/9/2006	6	\$6,456	\$160

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program Reason to) AF 1525
Believe Recommendation - 12 Day Pre-)
Primary Report (NV).)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on October 12, 2006, the Commission decided by a vote of 6-0 to take the following actions in AF 1525:

1. Find reason to believe that Wegner for Congress and Jeanne Schneider, as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be in the amount of \$160.
2. Send the appropriate Reason to Believe letter to the committee.

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

Attest:

October 12, 2006
Date

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

27082593558



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 16, 2006

Jeanne Schneider
Wegner for Congress
121 Gass
Las Vegas, NV 89101

C00421628
AF#: 1525

Dear Jeanne Schneider:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-Primary Report of Receipts and Disbursements in any calendar year during which there is a regularly scheduled election for which the candidate is seeking election, or nomination for election. This report, covering the period through July 26, 2006, shall be filed no later than August 3, 2006. 2 U.S.C. 434(a). You were previously notified of the due date for the Report. Records at the Commission indicate that this report was filed on 8/9/2006, 6 days late.

The Act was further amended in 1999 to permit the Federal Election Commission ("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 10/12/2006 the FEC found that there is reason to believe ("RTB") that Wegner for Congress and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before August 3, 2006. 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 \$160.00. It is due by 11/21/2006 and is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$ 6,456.00
Number of Days Late: 6
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 11/21/2006. 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

27092595559

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 Wegner for Congress and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. 111.45.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

Additional information on the FEC's administrative fine program, including the final regulations, is located at the FEC's website at www.FEC.gov. If you have questions regarding the payment of the calculated civil money penalty, please contact Laura Sinram in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,



Michael E. Toner
Chairman

270992593560

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 \$160.00 for the 2006 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 11/21/2006. 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: Wegner for Congress

FEC ID#: C00421628

AF#: 1525

PAYMENT DUE DATE: 11/21/2006

PAYMENT AMOUNT DUE: \$160.00

27092593561



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2006 NOV 29 P 1:33
November 29, 2006

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *PMC*
STAFF DIRECTOR

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

SUBJECT: ADMINISTRATIVE FINE PROGRAM
FINAL DETERMINATION RECOMMENDATION -
2006 12 DAY PRE-PRIMARY REPORT (NV)

Attached is a circulation report identifying a political committee and its treasurer against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to timely file the 2006 12 Day Pre-Primary Report. The committee has not paid the proposed RTB fine and has been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 C.F.R. 111.34, the Commission shall send a final determination notice to the respondent that has not paid the civil money penalty.

RAD Recommendation

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

27092593562

27092593563

11/29/2006 9:03 AM

Federal Election Commission
FD Circulation Report Fine Not Paid
2006 PRE-PRIMARY Election Sensitive 08/03/2006 H-NV

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
1525	WEGNER FOR CONGRESS	KENNETH ALEXANDER WEGNER	C00421628	JEANNE SCHNEIDER	8/9/2006	6	\$6,456	0	10/12/2006	\$160	48	\$160

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program Final) AF 1525
Determination Recommendation - 2006)
12 Day Pre-Primary Report (NV).)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on December 04, 2006, the Commission decided by a vote of 6-0 to take the following actions in AF 1525:

1. Make a final determination that Wegner for Congress and Jeanne Schneider, treasurer violated 2 U.S.C. 434(a) and assess the civil money penalty in the amount of \$ 160.00.
2. Send the appropriate Final Determination letter to the committee.

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

Attest:

December 4, 2006
Date

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

27092593564



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 2006

Jeanne Schneider, Treasurer
Wegner For Congress
121 Gass
Las Vegas, NV 89101

C00421628
AF# 1525

Dear Jeanne Schneider,

On 10/12/2006, the Federal Election Commission ("FEC") found reason to believe ("RTB") that Wegner For Congress and you, as treasurer, violated 2 U.S.C. 434(a) for failing to timely file the 2006 Pre-Primary Report. By letter dated 10/16/06, the FEC sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$160.00 in accordance with the schedule of penalties at 11 C.F.R. 111.43. Within 40 days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or your written response within the time permitted. Therefore, the FEC made a final determination on 12/4/2006 that you, as treasurer, and Wegner For Congress violated 2 U.S.C. 434(a) and assessed a civil money penalty in the amount of \$160.00 in accordance with 11 C.F.R. 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$6,446.00
Number of Previous Violations: 0
Number of Days Late: 6

To Pay the Civil Money Penalty

To pay the civil money penalty, send the enclosed form and your payment to the address on page 3 within 30 days of receipt of this letter.

If You Do Not Pay the Civil Money Penalty

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The

27092593595

fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

If You Choose to Appeal the Final Determination or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondent's right to present such argument in a petition to the district court under 2 U.S.C. 437g. 11 C.F.R. 111.38.

The confidentiality provisions at 2 U.S.C. 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Patricia Carmona at the Federal Election Commission, 999 E St., NW, Washington, DC 20463, or on our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

Sincerely,



Ellen L. Weintraub
Commissioner

27092593566

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the civil money penalty is \$160.00 for the 2006 Pre-Primary Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

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

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

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

Payments by Personal Check

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your originally 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 originally 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: Wegner For Congress

FEC ID#: C00421628

AF#: 1525

PAYMENT AMOUNT DUE: \$160.00

27092593567

FOR: Wegner For Congress

FEC ID#: C00421628

AF#: 1525

PAYMENT AMOUNT DUE: \$160.00

TOTAL P.04

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 000016000 BA# 1 01-19-07 20 4



27092593568



0768 CHISEL ALI 8	11-24 12100	PERSONAL MONEY ORDER	076824093
Operator ID: vmo0688			January 10, 2007
PAY TO THE ORDER OF	***FEDERAL ELECTION COMMISSION*** ***RE: WEGNER FOR CONGRESS FEC ID#C00421628***		
	One hundred sixty dollars and no cents		***\$160.00**
WELLS FARGO BANK, N.A. 7530 W LAKE MEAD BLVD LAS VEGAS, NV 89128 FOR INQUIRIES CALL (480) 394-3122			VOID IF OVER US \$ 160.00 K. J. W. Purchaser's Signature



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1525

DATE SCANNED 3/1/07

SCANNER NO. 1

SCAN OPERATOR SES

27092593569