



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1547

DATE SCANNED 9/27/07

SCANNER NO. 2

SCAN OPERATOR EEJ

27092612615



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2007 JAN 11 A 9:37
January 9, 2007

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *PMC*
STAFF DIRECTOR

MARGARITA MAISONET *MM*
CHIEF COMPLIANCE OFFICER

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

SUBJECT: REASON TO BELIEVE RECOMMENDATION - 2006 (NON-ELECTION SENSITIVE) OCTOBER QUARTERLY REPORT FOR THE ADMINISTRATIVE FINES PROGRAM

Attached is a list of political committees and their treasurers who failed to file, or failed to timely file, the 2006 October Quarterly Report in accordance with 2 U.S.C. 434(a). On September 21, 2006, Prior Notice was sent to all political committees and their treasurers, informing them that the October Quarterly Report was due on October 15, 2006. The report should have covered the period from July 1, 2006 through September 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 penalty would be the amount indicated on the Reason to Believe (RTB) Circulation Report.
- (2) Send the appropriate RTB letter to each committee outlined on the RTB Circulation Report.

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1/9/2007 1:33 PM

Federal Election Commission
Reason to Believe Circulation Report
2006 OCTOBER QUARTERLY Non Election Sensitive 10/15/2006

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1537	C00394353	CANSECO FOR CONGRESS	CANSECO, FRANCISCO RAUL QUICO	RANDY S BLAIR	\$2,060,639	0		Not Filed	\$343,440 (est)	\$8,000
1538	C00415349	CITIZENS FOR SHERMAN PARKER	PARKER, SHERMAN	JOSHUA T CAMPBELL	\$268,189	0	11/2/2006	18	\$17,830	\$190
1539	C00417253	CITIZENS TO ELECT PHILLIP JACKSON	JACKSON, PHILLIP	KIRSTEN ROKKE	\$181,404	1	11/4/2006	20	\$9,185	\$197
1540	C00420505	COMMITTEE TO ELECT MARVELL MITCHELL FOR CONGRESS	MITCHELL, MARVELL R	RICHARD B CAMPBELL	\$172,238	0		Not Filed	\$86,114 (est)	\$3,500
1541	C00415315	DAVID PFEFFER CAMPAIGN	PFEFFER, JOHN DAVID ABELES	ASA LAWS	\$171,316	0	10/25/2006	10	\$8,936	\$100
1542	C00424978	DONZELLA JAMES FOR US CONGRESS CAMPAIGN	JAMES, DONZELLA	ELMO JAMES	\$117,025	0		Not Filed	\$117,025 (est)	\$4,500
1543	C00384198	FRIENDS OF JOE NATION	NATION, JOE	SUSAN RUSCHE	\$1,388,642	0	10/22/2006	7	\$34,908	\$340
1544	C00395772	FRIENDS OF JOE ORTEGA FOR CONGRESS	ORTEGA, JOSE U III	KATHY M PLAVECKSI	\$224,767	0		Not Filed	\$37,461 (est)	\$900
1545	C00423210	FRIENDS TO ELECT VANCE W CHEEK JR	CHEEK, VANCE W JR	FRANK LITTLE	\$833,231	0	11/6/2006	22	\$117,177	\$3,350
1546	C00424051	GREEN FOR CHANGE	GREEN, ROGER LEON	CORAMINITA MAHAR	\$117,661	0	10/22/2006	7	\$20,517	\$135
1547	C00414177	HOMER HARTAGE	HARTAGE, HOMER L	BLACK, ERICA C.	\$282,287	0		Not Filed	\$56,457 (est)	\$2,700
1548	C00391011	JANE HAGUE FOR CONGRESS	HAGUE, JANE	LINDSEY EGHELBARGER	\$114,430	0		Not Filed	\$19,072 (est)	\$500
1549	C00414748	JOHN KONOP FOR CONGRESS	KONOP, JOHN	STOLL, STEVE MR.	\$203,140	0	11/17/2006	Not Filed	\$46,543	\$900
1550	C00413229	NEREE FOR US CONGRESS	NEREE, DUFIRSTSON	ROUDY THOMAS	\$239,698	1	11/17/2006	Not Filed	\$125,540	\$5,625
1551	C00414268	SARDO FOR CONGRESS '06	SARDO, S SONNY	CHARLES M HARKER	\$201,255	0	10/27/2006	12	\$12,038	\$160
1552	C00414581	TIM DUNN FOR CONGRESS	DUNN, TIMOTHY MARK	SUSAN MORRIS DUNN	\$186,089	0		Not Filed	\$37,214 (est)	\$900
1553	C00416040	WARNER FOR CONGRESS	WARNER, RUSSELL	JO ANNE HAAS	\$365,575	0	11/22/2006	Not Filed	\$6,613	\$300
1554	C0041496	ZANDSTRA FOR US SENATE COMMITTEE	ZANDSTRA, GERALD L	GARY ELLENS	\$1,023,863	0	10/23/2006	8	\$10,750	\$140

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation: 2006)
(Non-Election Sensitive) October Quarterly)
Report For The Administrative Fines)
Program.:)
FRIENDS OF JOE NATION, and Rusche,) AF# 1543
Susan as treasurer;)
SARDO FOR CONGRESS '06, and) AF# 1551
CHARLES M HARKER as treasurer;)
CITIZENS TO ELECT PHILLIP) AF# 1539
JACKSON, and KIRSTEN ROKKE as)
treasurer;)
ZANDSTRA FOR US SENATE) AF# 1554
COMMITTEE, and GARY ELLENS as)
treasurer;)
CITIZENS FOR SHERMAN PARKER,) AF# 1538
and JOSHUA T CAMPBELL as treasurer;)
DAVID PFEFFER CAMPAIGN, and ASA) AF# 1541
LAWS as treasurer;)
GREEN FOR CHANGE, and) AF# 1546
CORAMINITA MAHR as treasurer;)
FRIENDS TO ELECT VANCE W CHEEK) AF# 1545
JR, and FRANK LITTLE as treasurer;)
WARNER FOR CONGRESS, and JO) AF# 1553
ANNE HAAS as treasurer;)
HOMER HARTAGE, and Black, Erica C.) AF# 1547
as treasurer;)
NEREE FOR US CONGRESS, and) AF# 1550
ROUDY THOMAS as treasurer;)
JOHN KONOP FOR CONGRESS, and) AF# 1549
Stoll, Steve Mr. as treasurer;)
DONZELLA JAMES FOR US) AF# 1542
CONGRESS CAMPAIGN 2006, and)
ELMO JAMES as treasurer;)
TIM DUNN FOR CONGRESS, and) AF# 1552
SUSAN MORRIS DUNN as treasurer;)

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FRIENDS OF JOE ORTEGA III FOR) AF# 1544
CONGRESS, and KATHY M PLAVECKI)
as treasurer;)
COMMITTEE TO ELECT MARVELL) AF# 1540
MITCHELL FOR CONGRESS, and)
RICHARD B CAMPBELL as treasurer;)
CANSECO FOR CONGRESS, and) AF# 1537
RANDY S BLAIR as treasurer;)
JANE HAGUE FOR CONGRESS, and) AF# 1548
LINDSEY ECHELBARGER as treasurer;)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on January 17, 2007 the Commission took the following actions on the Reason To Believe Recommendation: 2006 (Non-Election Sensitive) October Quarterly Report For The Administrative Fines Program, as recommended in the Reports Analysis Division's Memorandum dated January 9, 2007, on the following committees:

AF#1543 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF JOE NATION, and Rusche, Susan 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#1551 Decided by a vote of 6-0 to: (1) find reason to believe that SARDO FOR CONGRESS '06, and CHARLES M HARKER 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#1539 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

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

AF#1554 Decided by a vote of 6-0 to: (1) find reason to believe that ZANDSTRA FOR US SENATE COMMITTEE, and GARY ELLENS 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#1538 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS FOR SHERMAN PARKER, and JOSHUA T CAMPBELL 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#1541 Decided by a vote of 6-0 to: (1) find reason to believe that DAVID PFEFFER CAMPAIGN, and ASA LAWS 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#1546 Decided by a vote of 6-0 to: (1) find reason to believe that GREEN FOR CHANGE, and CORAMINITA MAHR 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#1545 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS TO ELECT VANCE W CHEEK JR, and FRANK LITTLE 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#1553 Decided by a vote of 6-0 to: (1) find reason to believe that WARNER FOR CONGRESS, and JO ANNE HAAS 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#1547 Decided by a vote of 6-0 to: (1) find reason to believe that HOMER HARTAGE, and Black, Erica C. 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

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the report; (2) send the appropriate mailgram. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1550 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#1549 Decided by a vote of 6-0 to: (1) find reason to believe that JOHN KONOP FOR CONGRESS, and Stoll, Steve Mr. 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#1542 Decided by a vote of 6-0 to: (1) find reason to believe that DONZELLA JAMES FOR US CONGRESS CAMPAIGN 2006, and ELMO JAMES 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#1552 Decided by a vote of 6-0 to: (1) find reason to believe that TIM DUNN FOR CONGRESS, and SUSAN MORRIS DUNN 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#1544 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF JOE ORTEGA III FOR CONGRESS, and KATHY M PLAVECKSKI 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#1540 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT MARVELL MITCHELL FOR CONGRESS, and RICHARD B CAMPBELL 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#1537 Decided by a vote of 6-0 to: (1) find reason to believe that CANSECO FOR CONGRESS, and RANDY S BLAIR as treasurer violated 2 U.S.C. 434(a) and

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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#1548 Decided by a vote of 6-0 to: (1) find reason to believe that JANE HAGUE FOR CONGRESS, and LINDSEY ECHELBARGER 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:

January 18, 2007
Date

Darlene Harris
for Mary W. Dove
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 19, 2007

Erica C. Black
Homer Hartage
4862 Indiatlantic Drive
Orlando, FL 32808

C00414177
AF#: 1547

Dear Erica C. Black:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through September 30th, shall be filed no later than October 15th. 2 U.S.C. 434(a). You were previously notified of the due date for this report. Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 1/17/2007, the FEC found that there is reason to believe ("RTB") that Homer Hartage and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before October 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 \$2,700. It is due by 2/26/2007 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$56,456
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

To Pay the Calculated Civil Money Penalty

To pay the calculated civil money penalty, send the enclosed remittance and your payment to the FEC at the address on page 3. Upon receipt of your payment, the FEC will send you a final determination letter.

To Challenge the RTB Finding and/or Calculated Civil Money Penalty

To challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found on page one, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received by 2/26/2007. 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

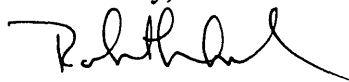
If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Homer Hartage and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

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 Chris Ritchie 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,



Robert D. Lenhard
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 \$2,700 for the 2006 October 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 2/26/2007. 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: Homer Hartage

FEC ID#: C00414177

AF#: 1547

PAYMENT DUE DATE: 2/26/2007

PAYMENT AMOUNT DUE: \$2,700

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RECEIVED
FEC MAIL CENTER

AFFIDAVIT

To Challenge the RTB Finding and/or Calculated Civil Money Penalty

STATE OF **Florida**

COUNTY OF **Orange**

AF#: 1547

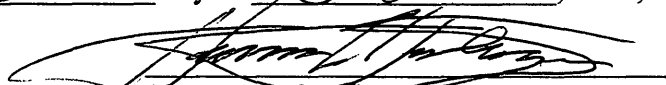
C00414177

PERSONALLY came and appeared before me, the undersigned Notary, the within named **Homer L. Hartage**, who is a resident of **4862 Indialantic Dr., Orlando, Florida 32808**, and makes this his statement and Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his knowledge:

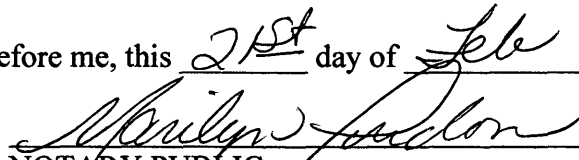
The affiant challenge the RTB finding and calculations of civil and money penalty, because there existed an extraordinary circumstances that persisted for more than 48 hours that were beyond my control and prevented me from filing the report in a timely manner.

The Campaign contracted with Capital Strategies, principle, Rashad Taylor. Prior to the report deadline Rashad Taylor became seriously ill and was taken to Sand Lake Hospital in Orlando, Florida. He was hospitalized for three weeks and on bed rest for another week. He then went back to Atlanta, Georgia with our file information and we have been unable to reach him or his company to get our reports completed. We believe the company is out of business. Every effort is being made to reconstruct the file for the completion of the report.

DATED this the 21st day of Feb, 2007,

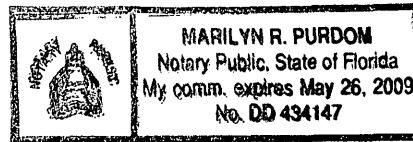

Signature of Affiant

SWORN to and subscribed before me, this 21st day of Feb, 2007


NOTARY PUBLIC

MY Commission Expires:

5-26-09



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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

February 27, 2007

Erica C. Black, as Treasurer
Homer Hartage
4862 Indialantic Drive
Orlando, Florida 32808

C00414177
AF# 1547

Dear Ms. Black:

On February 26, 2007, the Commission received the written response ("challenge") from the candidate 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 "Dayna C. Brown".

Dayna C. Brown
Reviewing Analyst
Office of Administrative Review

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FEDERAL
ADMINISTRATIVE

2007 MAR -5 A

Date: March 2, 2007

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

AF#: 1547

Committee Name: Homer Hartage

Committee ID#: C00414177

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 January 9, 2007 and RTB Certification, dated January 18, 2007: Previously Forwarded

Attachment #: N/A

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

Attachment #: 1

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

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2006 October Quarterly Report Prior Notice, dated September 21, 2006.

-Non-Filer Letter, dated October 31, 2006.

-RTB Letter, dated January 19, 2007.

Attachment #: 3

Other RAD Information: (Y/N): N

Attachment#: N/A

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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 the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Erica C. Black
 Homer Hartage
 4862 Indiaatlantic Dr
 Orlando, FL 32808

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
 Homer G. Hartage 1/22/07

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

2. Article Number (Transfer from service label) 7005 1820 0003 8239 6873 3

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 initial processing of 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 Homer Hartage:
- A) Prior Notice, dated September 21, 2006 , referencing the 2006 October Quarterly Report;
 - B) Non-Filer Letter, dated October 31, 2006, referencing the 2006 October Quarterly Report;
 - C) Reason-to-Believe Letter, dated January 19, 2007, referencing the 2006 October Quarterly Report.
3. I hereby certify that I have searched the Commission's public records and find that Home Hartage has not yet filed the 2006 October Quarterly Report with the Commission.
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 2nd day of March, 2007.

Patricia Carmona

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

27092612630

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

September 21, 2006

REPORTING DATES

<u>REPORT</u>	<u>REPORTING PERIOD¹</u>	<u>REG./CERT. & OVERNIGHT MAILING DATE</u>	<u>FILING DATE</u>
October Quarterly	07/01/06 - 09/30/06	10/15/06	10/15/06 ²

WHO MUST FILE

Principal campaign committees of congressional candidates³ (including unopposed candidates and candidates whose names do not appear on the ballot) must file an October Quarterly Report by October 15, 2006.⁴

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/electfil/electron.shtml.

¹These 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.

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

³An 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.

⁴If 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)

27092612631

REPORTING SCHEDULE FOR REMAINDER OF 2006

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
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.

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. 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).⁵ For additional information, see the enclosed handout entitled, “Administrative Fine Program,” and visit the FEC web site at 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).

¹See footnote #1, on reverse side.

⁵Penalties 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

27092612632



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 31, 2006

RQ-7

Erica C. Black, Treasurer
Homer Hartage
4862 Indiatlantic Drive
Orlando, FL 32808

IDENTIFICATION NUMBER: C00414177

Reference: October Quarterly Report 8/17/2006 - 9/30/2006

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and expenditures as required by the Federal Election Campaign Act, as amended. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate office building, Washington, D.C. 20510, for Senate candidates. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file this report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Kimberly Doughty at our toll free number (800)424-9530. Our direct 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 (RAD)

2603926215592612635



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 JUN 13 P 2:35

June 13, 2007

SENSITIVE

MEMORANDUM

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *PK*
STAFF DIRECTOR *PK*

JOHN D. GIBSON *JG*
ACTING CHIEF COMPLIANCE OFFICER

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

SUBJECT: AF# 1547 – HOMER HARTAGE AND ERICA C. BLACK, AS
TREASURER (C00414177)

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

27092612634



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 13, 2007

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

AF# 1547 – Homer Hartage and Erica C. Black, as Treasurer (C00414177)

On January 17, 2007, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2006 October Quarterly Report, a non-election sensitive report, and made a preliminary determination that the civil money penalty was \$2,700 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on January 19, 2007 of the Commission's RTB finding and civil money penalty.

Respondents' Response

On February 26, 2007, the Commission received the written response ("challenge") from the candidate, Homer Hartage, on behalf of the respondents. He states that the report was late because of extraordinary circumstances. As explained in his affidavit, these circumstances were: a campaign contractor, Rashad Taylor with Campaign Strategies, was hospitalized before the report was due and subsequently in the hospital and on bed rest for numerous weeks; Mr. Taylor later left the area with the Committee's file information; and they have not been able to contact him or Campaign Strategies and believe the company has gone out of business.

Analysis of Challenge

The Federal Election Campaign Act ("Act") requires that a report for the quarter ending September 30, 2006 be filed no later than October 15, 2006. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

The logs for the Electronic Filing Office ("EFO") show that the respondents were notified by email on October 16 that the report had not been filed. The email was sent to the address, RASHAD@HARTAGEFORCONGRESS.COM, that they previously provided. One of the EFO staff, Eliza Green, called the candidate on October 18, 2006 on another matter and told him (in response to his request) that the last report posted on the website was a 48-Hour Notice. Mr. Hartage told Ms. Green that he would call her back since he did not believe that the report had been filed.

Thus, the candidate was aware just three days after its due date that the 2006 October Quarterly Report had not been filed, yet no one from the Committee contacted the Commission until December 8, at which time, Mr. Taylor, the individual whom the candidate said in the challenge he could not reach, contacted the EFO for help rebuilding the Committee's data (.dcf) file. The EFO staff told him where he could find the instructions on the website to rebuild the data file. The EFO staff spoke with the candidate

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and Monica Daughtery on December 12 and 14, respectively, and explained how to rebuild the data file. During the December 12 conversation, the candidate said that he would contact Mr. Taylor and ask if he had started work on the October Quarterly Report.

The candidate spoke with the EFO staff again on December 18, 2006 and January 26, 2007 for assistance with the FECFile software including re-creating the data file, viewing unitemized transactions in the FECFile software, and importing and viewing an earlier 2006 report. Mr. Hartage told a RAD Analyst on January 23, 2007 that the report was late because "all the data was lost," a "key" staff member had kidney failure and was hospitalized for several weeks, and the Treasurer "abandoned" the campaign. The candidate contacted the EFO on March 26, 2007 because he could not upload the October Quarterly Report. The EFO staff helped him download the current version of the FECFile software which fixed the problems he had encountered and he was able to successfully upload the report that same day.

Examples of circumstances which are not considered extraordinary include illness or unavailability of staff (including the treasurer), problems with vendors or contractors, and computer failures (excluding Commission computer failures). 11 C.F.R. § 111.35(b)(4)(ii)(iii). None of the issues raised in the challenge meet the three-prong test to demonstrate the existence of extraordinary circumstances as defined in the administrative fines regulations at 11 C.F.R. § 111.35(b)(1)(iii) nor does the other issue (that they made every effort to reconstruct the data file) fall within the list of defenses outlined in 11 C.F.R. § 111.35.

The respondents filed the October Quarterly Report 162 days late. Their challenge presented no evidence that a factual error was made, that the civil money penalty was miscalculated at RTB or that extraordinary circumstances existed, which prevented the filing of the 2006 October Quarterly Report. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,700.

OAR Recommendations

- (1) Make a final determination in AF# 1547 that Homer Hartage and Erica Black, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,700; and
- (2) Send the appropriate letter.

Attachments

Attachment 1 - Challenge Received from Respondents

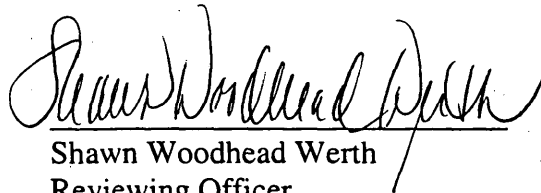
Attachment 2 -

Attachment 3 - Declaration from RAD

Attachment 4 - Declaration from OAR

DECLARATION OF SHAWN WOODHEAD WERTH

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I supervise research conducted with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2006 October Quarterly Report is due October 15, 2006. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on October 15 to be timely filed.
3. I hereby certify that I have searched the Commission's public records and that the document identified herein is a true and accurate copy of Page 1 of the Summary Page for the 2006 October Quarterly Report electronically filed by Homer Hartage and Erica C. Black, as Treasurer. According to Commission records, the report covers the period from August 17 through September 30, 2006 and was received on March 26, 2007. The Signature of Treasurer line says "Electronically Filed by Homer Hartage."
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 13th of June, 2007.



Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review
Federal Election Commission

27092612637

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For 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

Hartage for Congress, Inc.

ADDRESS (number and street) 3768-A, Silver Star Road

X Check if different than previously reported. (ACC) Orlando FL 32808

2. FEC IDENTIFICATION NUMBER C00414177 CITY STATE ZIP CODE STATE DISTRICT IS THIS REPORT NEW OR AMENDED

4. TYPE OF REPORT (Choose One) (a) Quarterly Reports: April 15 Quarterly Report (Q1) July 15 Quarterly Report (Q2) X October 15 Quarterly Report (Q3) January 31 Year-End Report (YE) Termination Report (TER)

(b) 12-Day PRE-Election Report for the: Primary (12P) General (12G) Runoff (12R) Convention (12C) Special (12S) Election on In the State of (c) 30-Day POST-Election Report for the: General (30G) Runoff (30R) Special (30S) Election on in the State of

5. Covering Period 08 17 2006 through 09 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 Homer Hartage Signature of Treasurer Electronically Filed by Homer Hartage Date 03 24 2007

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

27092612638



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

June 14, 2007

Erica C. Black, as Treasurer
Homer Hartage
3768-A Silver Star Road
Orlando, Florida 32808

C00414177
AF# 1547

Dear Ms. Black:

On January 17, 2007, the Federal Election Commission ("Commission") found reason to believe ("RTB") that the Homer Hartage committee and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2006 October Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$2,700 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 "Shawn Woodhead Werth". The signature is written in a cursive style.

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

Attachment

27092612639



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 JUL 13 P 2:35
July 12, 2007

SENSITIVE

MEMORANDUM

To: The Commission

Through: Patrina M. Clark *PMC*
Staff Director

From: John D. Gibson *JDG*
Acting Chief Compliance Officer

Shawn Woodhead Wertz *SW*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 1547 – Homer Hartage and Erica C. Black, as Treasurer (C00414177)

On January 17, 2007, the Commission found reason to believe that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2006 October Quarterly Report, a non-election sensitive report. Because they had not filed the report, the Commission made a preliminary determination, using the estimated level of activity, that the civil money penalty was \$2,700 based on the schedule of penalties at 11 C.F.R. § 111.43.

On February 26, 2007, the Commission received the respondents' written response ("challenge"). On March 26, 2007, the Commission received the October Quarterly Report, 162 days late. The report is considered not filed for purposes of the civil money penalty calculation. It discloses \$33,826 in total receipts and \$37,382 in total disbursements. Had the report been filed disclosing this actual level of activity (\$71,208) prior to the Commission's RTB finding, the civil money penalty would still have been \$2,700 based on the schedule of penalties at 11 C.F.R. § 111.43(a).

After reviewing the challenge, the Reviewing Officer's recommendation dated June 13, 2007 was forwarded to the Commission. A copy was simultaneously forwarded to the respondents at their address of record. Another copy was forwarded to them on June 25, 2007. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,700 because they submitted no evidence that a factual error was made, that the civil money penalty was miscalculated at RTB or that extraordinary circumstances existed which prevented them from filing the report on time.

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.

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OAR Recommendations

- (1) Make a final determination in AF# 1547 that Homer Hartage and Erica C. Black, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,700; and
- (2) Send the appropriate letter.

27092612641



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Monday, July 16, 2007 11:00

BALLOT DEADLINE: Thursday, July 19, 2007 4:00

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

SUBJECT: **Final Determination Recommendation in
AF 1547 – Homer Hartage and Erica C. Black,
Treasurer (C00414177) Memorandum from
the Acting Chief Compliance Officer and
the Reviewing Officer dated July 12, 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

27092612642

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 1547
Homer Hartage and Erica C. Black, as)
Treasurer (C00414177))

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on July 19, 2007, the Commission decided by a vote of 4-0 to take the following actions in AF 1547:

1. Make a final determination in AF 1547 that Homer Hartage and Erica C. Black, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,700, as recommended in the Reviewing Officer's Memorandum dated July 12, 2007.
2. Send the appropriate letter.

Commissioners Lenhard, Mason, von Spakovsky, and Weintraub voted affirmatively for the decision. Commissioner Walther did not vote.

Attest:

July 19, 2007
Date

Darlene Harris
for Mary W. Dove
Secretary of the Commission

27092612643



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 24, 2007

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Erica C. Black, as Treasurer
Homer Hartage
3768-A Silver Star Road
Orlando, Florida 32808

ID# C00414177
AF# 1547

Dear Ms. Black:

On January 17, 2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Homer Hartage committee and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2006 October Quarterly Report. By letter dated January 19, 2007, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$2,700 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On February 26, 2007, the Office of Administrative Review received the written response from Mr. Hartage challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that the Homer Hartage committee and you, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$2,700 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, copies of which were sent to you on June 14, 2007 at the 3768-A Silver Star Road address of record and on June 25, 2007 at the 4862 Indiatlantic Drive address.

On July 19, 2007, the Commission adopted the Reviewing Officer's recommendation and made a final determination that the Homer Hartage committee and you, as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$2,700. It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than estimated level of activity was used to calculate the civil money penalty.

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.

27092612644

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 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 and/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 respondents' 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 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

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

Sincerely,



Robert D. Lenhard
Chairman

27092612645

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$2,700 for the 2006 October Quarterly Report.

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

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

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

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

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

PAYMENTS BY PERSONAL CHECK

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Homer Hartage

FEC ID#: C00414177

AF#: 1547

PAYMENT AMOUNT DUE: \$2,700

FOR: Homer Hartage

FEC ID#: C00414177

AF#: 1547

PAYMENT AMOUNT DUE: \$2,700

3

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000270000 BA# 1 08-28-07 20 9



us bancorp.
The Sun Bank Company

HOMER L. HARTAGE ROSEMARY HARTAGE [REDACTED]		4222
Date		8/24/07
Pay to the Order of		Federal Election Comm. \$2,700.00
Two Thousand Seven Hundred		Dollars
Orlando Federal www.orlandooca.org (407) 835-3508 We have your Best Interest at Heart!		
For ID# C00414177		Homer L. Hartage

27092612647



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1547

DATE SCANNED

9/27/07

SCANNER NO.

2

SCAN OPERATOR

SSS

27092612648