



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1548

DATE SCANNED 9/27/07

SCANNER NO. 2

SCAN OPERATOR EEJ

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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 *JDG*
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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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	\$266,189	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	\$172,228	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	\$17,025 (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 BLAVECKSKI	\$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 MAHIR	\$17,661	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 ECHELBARGER	\$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, DUFIIRSTSON	ROUDY THOMAS	\$239,998	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	\$186,069	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	C00411496	ZANDSTRA FOR US SENATE COMMITTEE	ZANDSTRA, GERALD L	GARY EIFFENS	\$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 RÖKKE 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 PLAVECKSI)
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

Lindsey Echelbarger
Jane Hague for Congress
8554 122nd Avenue Northeast, PMB 145
Kirkland, WA 98033

C00391011
AF#: 1548

Dear Lindsey Echelbarger:

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 Jane Hague for Congress 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 \$500. It is due by 2/26/2007 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$19,071
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

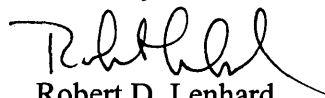
If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Jane Hague For Congress and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

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 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 \$500 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: Jane Hague For Congress

FEC ID#: C00391011

AF#: 1548

PAYMENT DUE DATE: 2/26/2007

PAYMENT AMOUNT DUE: \$500

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March 9, 2007

Office of Administrative Review
Federal Election Commission
999 E Street Northwest
Washington, D.C. 20463

RE: AF#1548
Jane Hague for Congress
C00391011

FILED BY FACSIMILE TRANSMISSION AND BY OVERNIGHT MAIL

Gentlemen:

Please accept this letter as an appeal of the RTB and civil monetary penalty relating to an alleged violation of 2 U.S.C. 434(a) by the Jane Hague for Congress Committee.

This notice of appeal is being sent by FAX transmission and overnight delivery at the direction of FEC Analyst Rhiannon Ryan per instructions provided to me during a phone conversation on Wednesday, March 6th.

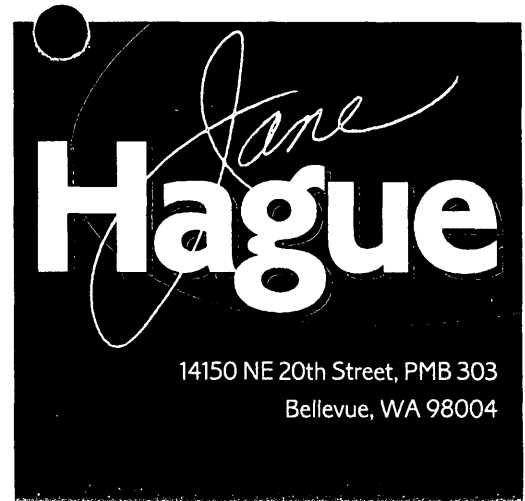
Based on my extended conversation with FEC Analyst Ryan, it is my contention that the determination of RTB made by the FEC on January 17, 2007 was made incorrectly and clearly lacks a basis in fact.

Supposition #1: Previous Notification of Due Date

In the first paragraph of the AF#1548 notification (dated January 19, 2007) there is a statement that the Jane Hague for Congress Committee was "previously notified of the due date for this report." This statement is factually incorrect.

On April 15, 2006, the Jane Hague for Congress Committee filed its April quarterly report (FEC-212490) as required by law. On the same date, the Jane Hague for Congress Committee filed a Termination Report (FEC-212494).

With the filing of the Termination Report per instruction of FEC staff in compliance with the refile process necessitated by crimes committed against the committee (see Form 99 filed on February 7, 2006 FEC-201422) it was the belief of the committee that its existence was at an end. Indeed, my services to the committee as Treasurer for the refile process



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also ended on April 15, 2006.

This "termination" was based on instructions I received from FEC Analyst Jennifer Pittman that represented the culmination of the refile process I had begun discussing with FEC staff in late 2005. After the finalization of the intensive forensic accounting process and subsequent filing of amended reports that were its result, the filing of the Termination Report and successful correction of the public record were something I felt that the Jane Hague for Congress Committee and I, in the role of refile Treasurer, could rightly be proud.

Our work was completed, the public record had been forthrightly and openly corrected, and the closing of the committee's accounts with a zero balance was achieved.

Shortly before that date the private mail facility at which Jane Hague for Congress Committee correspondence had been received went out of business and no mail sent to the committee's previously active address was, in fact, received (see Declaration of Tim Jackson included with this notification of appeal). As noted by Mr. Jackson, no mail was received, nor was any mail forwarded to any existing address for Jane Hague.

Updated address information for Jane Hague was easily accessible at any time. Either through direct contact with myself (FEC Analyst Ryan contacted me with one phone call), through ongoing and current filings with the Washington State Public Disclosure Commission (www.pdc.wa.gov), or through Jane Hague's official address.

Indeed, while the Jane Hague for Congress Committee considered itself to have terminated, there was never a time in which FEC staff did not have current and active phone numbers for myself and for the Washington, D.C.-based and Seattle, Washington-based attorneys representing Jane Hague and the Jane Hague for Congress Committee in FEC matters.

Supposition #2: Reportable Amounts Existed to be Filed

With the filing of its first quarter 2006 report (FEC-212490) and the Termination Report (FEC-212494) the bank accounts of Jane Hague for Congress were closed with a zero balance. Therefore, the secondary supposition behind the RTB justifying AF#1548 — that the committee had a level of activity amounting to \$19,071 — is also factually incorrect.

A review of the public records listed above by FEC staff would have shown that all accounts of the Jane Hague for Congress Committee stood at a zero balance in both revenues and disbursements. Therefore no reportable amounts existed to file.

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This is further evidenced by the second quarter, third quarter and end-of-year reports filed by myself on behalf of the Jane Hague for Congress Committee nearly a month in advance of any knowledge of AF#1548 (FEC-275150, FEC-275152, and FEC-275222)

Supposition #3: AF#1548 was Correctly Received

Based on my two phone conversations with FEC Analyst Ryan, it is my understanding that the January 19, 2007 notification was sent to the previously active Jane Hague for Congress Committee address with return receipt requested.

Given information also provided by FEC Analyst Ryan, the return receipt postcard was signed and returned to the FEC by the United States Post Office. Lacking a copy of this return receipt I cannot comment on the validity of the signature of receipt. However, it is clear that AF#1548 was not legally received by the Jane Hague for Congress Committee or any authorized agent of the committee.

In point of fact, AF#1548 was returned to the FEC unopened and — again based on statements made to me during phone conversations with FEC Analyst Ryan — marked addressee unknown/return to sender.

It is my contention that AF#1548 again fails to meet the requirements necessary to form an RTB by the simple evidence of the unopened and returned notification letter. Lacking previous notification, or even notification of failure to file, the ability to rationally argue the existence of an RTB and therefore a violation by the Jane Hague for Congress Committee of 2 U.S.C. 434(a) cannot be formed and so cannot create the basis for a civil penalty.

Supposition #4: Intention to Fail to File

A violation by the Jane Hague for Congress Committee of 2 U.S.C. 434(a) at its core presumes a belief by the FEC that there was an active intent by the committee NOT to file. This is also factually incorrect.

Even though the Jane Hague for Congress Committee believed that it terminated on April 15, 2006, based on the recommendation of private counsel the committee reengaged my services as Treasurer and subsequently filed all reports normally expected of an active committee (see FEC-275150, FEC-275152 and FEC-275222).

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March 9, 2007
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These filings occurred *absent any knowledge of AF#1548* and only add to the internal records of the FEC that clearly show a pattern of timely filing of all required reports by the Jane Hague for Congress Committee. In addition, FEC internal records show an attempt by the committee to accurately and honestly complete the refile process in the shortest time necessary absent even the suggestion of an investigation by FEC compliance staff.

It was at the insistence of candidate Hague that the correction to the public record be made promptly and at the greatest possible speed. Candidate Hague hired a forensic accountant to fully investigate, and provide to me as refile Treasurer, all information on what funds had been misappropriated and to where.

Finally, it was at the behest of and with the cooperation of candidate Hague that the campaign agent involved in this illegal activity was arrested, prosecuted and is currently under sentence.

At every stage and every point, candidate Hague and the Jane Hague for Congress Committee have provided more information rather than less, opened up its books to a greater rather than lesser extent, and fully informed the public and media on the scope and magnitude of the crimes committed against it.

At no time has any information been withheld, or any attempt to not fully, accurately, and completely file all information necessary for the FEC to complete its responsibilities under the Federal Election Campaign Act of 1971.

Indeed just one phone call made by FEC Analyst Ryan after receipt of the unopened and returned January 19, 2007 AF#1548 spurred immediate action by both myself and the Jane Hague for Congress Committee to ensure that all information desired by the FEC and its staff was provided fully and without delay. As has been mentioned previously, no additional information was required because it had already been fully posted into the public record by the Jane Hague for Congress Committee absent any knowledge of AF#1548.

Conclusion and Appeal

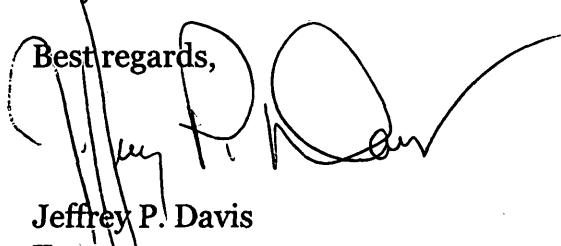
Lacking any intent or valid supposition to support an RTB that the Jane Hague for Congress Committee violated 2 U.S.C. 434(a), it is our appeal that AF#1548 and the civil monetary penalty be withdrawn.

27092612663

Office of Administrative Review
Federal Election Committee
Appeal of AF#1548
March 9, 2007
Page Five

If any further information is required, I may be contacted at (425) 486-8000. Thank you for your consideration.

Best regards,

A handwritten signature in black ink, appearing to read 'Jeffrey P. Davis', written over the typed name below.

Jeffrey P. Davis
Treasurer
Jane Hague for Congress
C00391011

Enclosures: Declaration of Tim Jackson
Amended Form 1

27092612664

FEDERAL ELECTION COMMISSION

IN THE MATTER OF JANE HAGUE FOR
CONGRESS,

NO. C00391011 AF#1548

DECLARATION OF TIMOTHY
JACKSON IN SUPPORT OF THE
COMMITTEE'S CHALLENGE TO THE
RTB FINDING AND CALCULATED
CIVIL MONETARY PENALTY

I, TIMOTHY JACKSON, hereby declare under oath as follows:

1. I am the person who was responsible for checking the mail box for the Jane for Congress Campaign (the "Committee") and Jane Hague for County Council campaign from 2005 to the present. I am submitting this Declaration in support of the Committee's challenge to the RTB finding and calculated civil monetary penalty.

2. Mary's Mailboxes has always been the official campaign mail box for Jane Hague's campaigns including her campaign for Congress. In March of 2006 I arrived at Mary's Mailboxes to find a sign on the businesses front door stating the business was closed. Mary's Mailboxes made no effort to contact the Committee to notify us about the company's imminent closure.

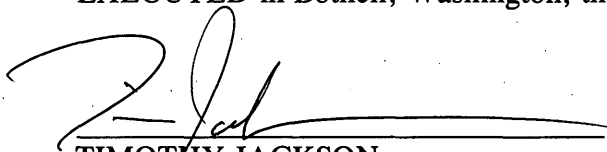
27092612665

3. I contacted the local United States Post Office after discovering the closure and was informed the Post Office could not forward mail from the old PO Box because it was a private company.

4. No mail was received by the Committee from the FEC after March 2006 until we received the January 19, 2007 correspondence from the FEC in early March.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
AND CORRECT.

EXECUTED in Bothell, Washington, this 9th day of March, 2007.


TIMOTHY JACKSON

27092612666

FEC FORM 1

STATEMENT OF ORGANIZATION

Office Use Only

1. NAME OF COMMITTEE (in full)

(Check if name is changed)

Example: If typing, type over the lines.

12FE4M5

JANE HAGUE FOR CONGRESS

ADDRESS (number and street)

(Check if address is changed)

14150 NE 20TH STREET PMB 303

BELLEVUE WA 98004

CITY ▲

STATE ▲

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

COMMITTEE'S WEB PAGE ADDRESS (URL)

COMMITTEE'S FAX NUMBER

2. DATE

03 / 09 / 2007

3. FEC IDENTIFICATION NUMBER ▶

C00391011

4. IS THIS STATEMENT

NEW (N)

OR

AMENDED (A)

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

Type or Print Name of Treasurer

JEFFREY DAVIS

Signature of Treasurer

[Handwritten Signature]

Date

03 / 09 / 2007

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

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office Use Only				
-----------------	--	--	--	--

For further information contact: Federal Election Commission Toll Free 800-424-9530 Local 202-694-1100

FEC FORM 1 (Revised 02/2003)

27092612667

5. TYPE OF COMMITTEE (Check One)

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate _____

Candidate Party Affiliation Office Sought: House Senate President State District

- (c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate _____

- (d) This committee is a (National, State or subordinate) committee of the (Democratic, Republican, etc.) Party.

- (e) This committee is a separate segregated fund.

- (f) This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee.

6. Name of Any Connected Organization or Affiliated Committee

Mailing Address _____

 _____ CITY ▲ STATE ▲ ZIP CODE ▲

Relationship _____

Type of Connected Organization:

- Corporation Corporation w/o Capital Stock Labor Organization
- Membership Organization Trade Association Cooperative

27092612668

Write or Type Committee Name

JANE HAGUE FOR CONGRESS

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name JANE HAGUE

Mailing Address 114150 NE 20TH STREET PMB 303
BELLEVUE WA 98004

Title or Position Title or Position ▼ CITY ▲ STATE ▲ ZIP CODE ▲
CANDIDATE Telephone number

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer JEFFREY DAVIS

Mailing Address 112900 NE 180TH STREET SUITE 230
BOTHELL WA 98011

Title or Position Title or Position ▼ CITY ▲ STATE ▲ ZIP CODE ▲
TREASURER Telephone number 425-486-8000

Full Name of Designated Agent

Mailing Address

Title or Position Title or Position ▼ CITY ▲ STATE ▲ ZIP CODE ▲
Telephone number

27092612669

9. **Banks or Other Depositories:** List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

NONE

Mailing Address

_____ - _____

CITY ▲

STATE ▲

ZIP CODE ▲

Name of Bank, Depository, etc.

Mailing Address

_____ - _____

CITY ▲

STATE ▲

ZIP CODE ▲

27092612670



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

March 12, 2007

Lindsey Echelbarger, as Treasurer
Jane Hague for Congress
14150 NE 20th Street PMB 303
Bellevue, Washington 98004

C00391011
AF# 1548

Dear Mr. Echelbarger:

On March 9, 2007, the Commission received the written response, supporting documentation, and affidavit ("challenge") from Jeffrey P. Davis which is being reviewed by the Office of Administrative Review. If you have any questions about 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, appearing to read "Shawn Woodhead Werth".

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

cc: Jeffrey P. Davis

27092612671

2007 MAR 13

Date: March 14, 2007

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

AF#: 1548

Committee Name: Jane Hague for Congress

Committee ID#: C00391011

Committee Address (if different than in RTB letter): 14150 N.E. 20th Street
P.M.B. 303
Bellevue, WA 98004

Treasurer Name (if different than in RTB finding): Jeffrey Davis

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: Memo to File, Returned RTB Envelope, Re-mail Info, Y/N): Y

Attachment#: # 4

27092612672

27092612673

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> 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. 	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: Lindsey Echelbarger Jane Hague for Congress 8554 122nd Avenue North - East, PMB 145 Kirkland, WA 98033	B. Received by (Printed Name)	C. Date of Delivery 1/22/07
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
	7 7005 1820 0003 8239 6866	

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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 Jane Hague for Congress:
 - 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 Jane Hague for Congress filed the 2006 October Quarterly Report with the Commission on February 1, 2007.
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 14th day of March, 2007.



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

27092612674

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

September 21, 2006

REPORTING DATES

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

27092612675

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

27092612678



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 31, 2006

RQ-7

Lindsey Echelbarger, Treasurer
Jane Hague For Congress
8554 122nd Avenue Northeast
Kirkland, WA 98033

IDENTIFICATION NUMBER: C00391011

Reference: October Quarterly Report 7/1/2006 - 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 cursive script, appearing to read "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division (RAD)

2603926197992612677



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 JUL 30 P 3:54

July 30, 2007

MEMORANDUM

SENSITIVE

To: The Commission

Through: Patrina M. Clark *mc*
Staff Director

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

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

Subject: AF# 1548 – Jane Hague for Congress and Lindsey Echelbarger, as
Treasurer (C00391011)

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.

27092612678



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 30, 2007

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

AF# 1548 – Jane Hague for Congress and Lindsey Echelbarger, as Treasurer (C00391011)

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 \$500 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 March 12, 2007, the Commission received the written response, Timothy Jackson's declaration, and amended Statement of Organization ("challenge") from Jeffrey P. Davis on behalf of the respondents. Mr. Davis, who signed as Treasurer, states that the RTB finding is incorrect because of four erroneous Commission suppositions. These are:

- First, they dispute that they were previously notified of the report's due date because the private mail facility they used went out of business unexpectedly and no mail was received or forwarded;
- Second, they dispute that the RTB letter was timely received since it was returned unopened to the Commission marked addressee unknown/return to sender and, therefore, there is no basis for assessing a civil money penalty;
- Third, they assert that it was not their intention not to file; rather, they filed the Termination Report based on instructions from Commission staff as a result of "crimes committed against the committee" and presumed their filing obligations stopped after they filed it on April 15, 2006. Once their counsel advised them to resume filing, they did so immediately; and
- Fourth, contrary to the \$19,071 in estimated activity cited in the RTB letter, there was no financial activity during the reporting period.

Analysis of Challenge

The Federal Election Campaign Act ("Act") requires that treasurers file a report for the quarter ending September 30, 2006 no later than October 15, 2006. 2 U.S.C. § 434(a)(2)(B) and 11 C.F.R. § 104.5(a)(1)(i). Committees are required to disclose changes to the information on a previously submitted statement of organization no later than 10 days after the date of the change. 2 U.S.C. § 433(c) and 11 C.F.R. § 102.2(a)(2). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

The first three issues concern the Commission's failure to properly and timely notify them of the report's due date, the RTB finding, and that they must continue to file reports. The respondents partially attribute this to the unexpected closure of the private mail facility they used. Commission records show, however, that they failed to inform the

27092612679

Commission within the requisite time period that this was no longer a valid address and to provide a current address.

In Mr. Jackson's declaration, he states that the private mail facility where the Committee maintained its PO box closed in March of 2006 and that the Postal Service could not forward the Committee's mail since this facility was a private company. The respondents did not notify the Commission of any change in their address of record when they filed the April Quarterly and Termination Reports on April 15, 2006 nor did they mention this to the RAD Analyst in subsequent conversations yet it appears that they received the May 9, 2006 letter from the Office of General Counsel ("OGC) explaining why the Committee could not terminate and must continue filing reports. OGC's letter was sent to the private mail facility address.

RAD's telecoms [written records of telephone conversations] indicate that Brett Bader and Mr. Davis called the Analyst on May 17 and July 17, 2006, respectively, to discuss the status of the Termination Report and the failure to file the 2006 July Quarterly Report. Neither of them informed her that the address of record was no longer valid. In fact, when Ms. Pittman explained to Mr. Davis that they should have received a letter from OGC explaining why the Committee would have to continue filing reports, Mr. Davis responded that he "recalled something to that affect."

The Committee asserts that it did not intentionally disregard the filing requirements but presumed its obligations ended after filing the Termination Report. However, OGC's May 9th letter denied the termination request and explained why they must continue to file reports until notified otherwise. This is the same letter the Analyst discussed with Mr. Davis during the July 17 phone call.

The Electronic Filing Office also notified the Committee via email on October 16, 2006 that it had failed to file the report. The FEC server log, which stores the email address provided by the filer, shows that the email was sent to jeffdavis@madisoncorp.biz, the same email address to which the 12-hour nonfiler email notification was sent for the July Quarterly Report on July 16.

With respect to the RTB letter, it too was sent to the original address of record because they still had not changed their address. Someone signed for it on January 22, 2007 but it was subsequently returned unopened, marked "Return to Sender," with the addressee and bar code information obscured.

The challenge's fourth point is that the level of activity cited in the RTB letter is incorrect. Because the report had not been received at the time of the RTB finding, the Commission estimated the level of activity for the October Quarterly reporting period to be \$19,071, resulting in a \$500 civil money penalty. 11 C.F.R. § 111.43(a)(2)(ii). They filed the October Quarterly Report on February 1, 2007, 109 days late, which discloses \$0 in receipts and \$0 in disbursements. The schedule of penalties at 11 C.F.R. § 111.43(a)(2) only provides for civil money penalties if the level of activity is \$1.00 or more, thus no civil money penalty should be assessed in this matter.

The challenge fails to address any of the three valid excuses enumerated at 11 C.F.R. § 111.35(b). These are: (i) the existence of factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) the existence of extraordinary circumstances that were beyond their control and that were for a duration of at least 48 hours and that prevented them from filing the report in a timely manner. The other issues

raised in the challenge (the "finalization of the intensive forensic accounting process and subsequent filing of amended reports" which lead to the "successful correction of the public record" in February 2006, and that the Commission lacks "any intent or valid supposition to support an RTB" finding) also fail to meet the requirements of 11 C.F.R. § 111.35(b).

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 \$0 (reduced from the RTB civil money penalty of \$500).

OAR Recommendations

- (1) Make a final determination in AF# 1548 that Jane Hague for Congress and Lindsey Echelbarger, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the October Quarterly Report (\$0), assess a civil money penalty of \$0 (reduced from the RTB civil money of \$500); and
- (2) Send the appropriate letter.

Attachments

Attachment 1 – Challenge Received from Respondents

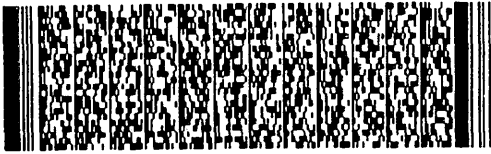
Attachment 2 –

Attachment 3 –

Attachment 4 – Declaration from RAD

Attachment 5 – Declaration from OAR

Shipment Request Form



Z900000004415

From:

Name: Rhiannon Ryan
Department: RAD
Phone: 1130

To:

Ship To 1: Lindsey Echelbarger
Ship To 2: Jane Hague for Congress
Address: 14150 NE 20th St
PMB 303

Bellevue, WA 98004

Country: US

Special Instructions:

Signature required

Requested Date: 3/2/2007 2:20:42 PM

To print this form:

- 1) Click the Print button. (Print two copies, one to attach to your package and one to keep for your records.)
- 2) Place the form in a waybill pouch or attach it to your shipment so that the barcode portion of the page can be read and scanned.

[Print](#)

[Close](#)

27092612682

FedEx Express

Phannon Ryan
RAD

ORIGIN ID: OXCA 1130
RHIANNON RYAN
FEC
SITE 819
999 E ST NW
WASHINGTON DC 20463
UNITED STATES

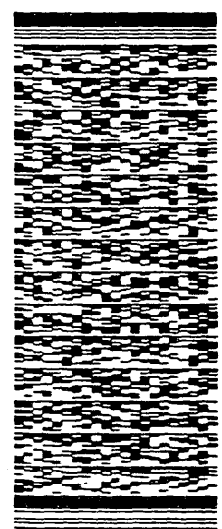
Ship Date: 02MAR07
Actual Wgt: 1 LB
System#: 668557
Account: S 0200-5346-1

TO: JANE HAGUE FOR CONGRESS
LINDSEY ECHELBERGER
14150 NE 20TH ST
PMB 303
BELLEVUE, WA 98004

FedEx Express
(US) 



Delivery Address
Barcode

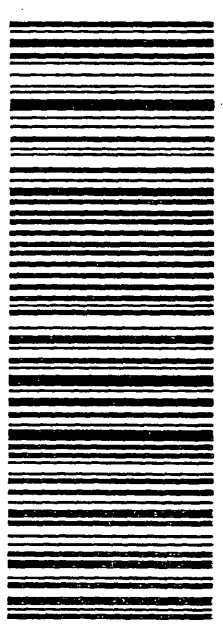


PRIORITY OVERNIGHT

TRK# 7055 8429 9167 Form 0201

MON
Deliver By
05Mar07
SEA A1

98004 -WA-US XHBVUA



The World O

For FedEx Express® Shipments Only

58921926072



FedEx Express
Customer Support Trace
3875 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

U.S. Mail: PO.Box 727
Memphis, TN 38194-4643
Telephone: 901-369-3600

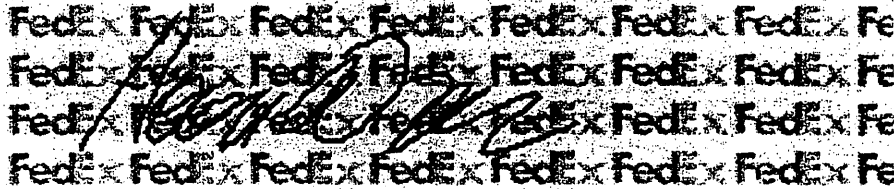
March 6, 2007

Dear Customer:

The following is the proof of delivery you requested with the tracking number **705584299167**.

Delivery Information:

Status:	Delivered	Delivery location:	Bellevue, WA
Signed for by:	H.WON	Delivery date:	Mar 5, 2007 09:08
Service type:	Priority Envelope		



Shipping Information:

Tracking number:	705584299167	Ship date:	Mar 2, 2007
		Weight:	0.5 lbs.

Recipient:
Bellevue, WA US

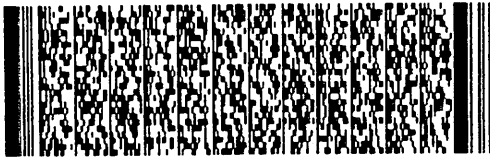
Shipper:
WASHINGTON, DC US

Thank you for choosing FedEx Express.

FedEx Worldwide Customer Service
1.800.GoFedEx 1.800.463.3339

27092612684

Shipment Request Form



Z900000004413

From:

Name: Rhiannon Ryan
Department: RAD
Phone: 1130

To:

Ship To 1: Lindsey Echelbarger
Ship To 2: Jane Hague for Congress
Address: 22833 Bothell Everett Hwy
Ste 207

Bothell, WA 98021-9368

Country: US

Special Instructions:

Signature required

Requested Date: 3/2/2007 2:18:03 PM

To print this form:

- 1) Click the Print button. (Print two copies, one to attach to your package and one to keep for your records.)
- 2) Place the form in a waybill pouch or attach it to your shipment so that the barcode portion of the page can be read and scanned.

27092612685

FedEx

Express

27 992612686

Shannon Ryan

RAD

ORIGIN ID: OXCA 1130
RHIANNON RYAN
FEC
STE 819
999 E ST NW
WASHINGTON DC 20463
UNITED STATES

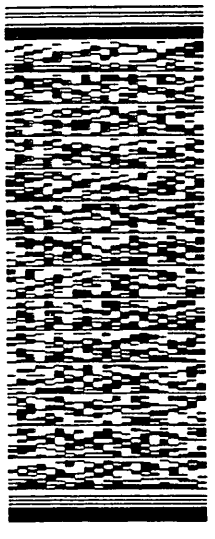
Ship Date: 02MAR07
Actual Wgt: 1 LB
System#: 568557
Account: S 0200-5346-1

TO: JANE HAGUE FOR CONGRESS
LINDSEY ECHELBERGER
22833 BOTHELL EVERETT HWY
STE 207
BOTHELL, WA 98021-9368

FedEx
Express
(US) 



Delivery Address
Barcode



PRIORITY OVERNIGHT

MON

TRK# 7055 8429 9156 0201

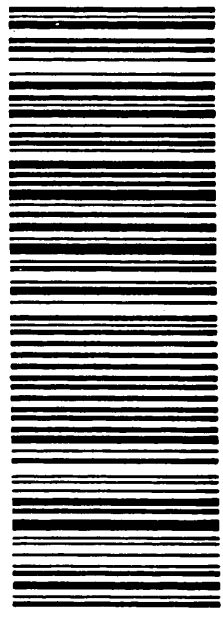
Deliver By: 05Mar07

SEA

AA

98021 -WA-US

XH PAEA



The World On

For FedEx Express® Shipments Only



FedEx Express
 Customer Support Trace
 3875 Airways Boulevard
 Module H, 4th Floor
 Memphis, TN 38116

U.S. Mail: PO Box 727
 Memphis, TN 38194-4643
 Telephone: 901-369-3600

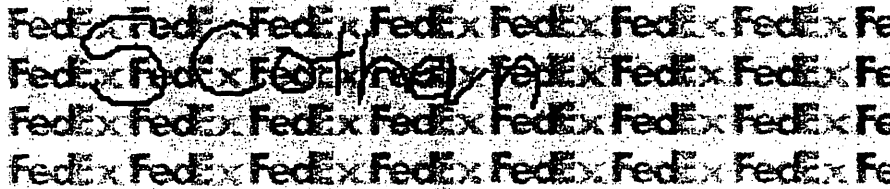
March 6, 2007

Dear Customer:

The following is the proof of delivery you requested with the tracking number **705584299156**.

Delivery Information:

Status:	Delivered	Delivery location:	Bothell, WA
Signed for by:	S.COTHERN	Delivery date:	Mar 5, 2007 09:33
Service type:	Priority Envelope		



Shipping Information:

Tracking number:	705584299156	Ship date:	Mar 2, 2007
		Weight:	0.5 lbs.

Recipient:
 Bothell, WA US

Shipper:
 WASHINGTON, DC US

Thank you for choosing FedEx Express.

FedEx Worldwide Customer Service
 1.800.GoFedEx 1.800.463.3339

27092612587

27092612688

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:
 Lindsey Echelbarger
 Jane Hague for Congress
 8554 122nd Avenue North -
 East, PM 6145
 Kirkland, WA 98033

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 X *[Signature]* Addressee

B. Received by (Printed Name) C. Date of Delivery
[Signature] 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) 7 7005 1820 0003 8239 6866

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

27092612689

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

Official Business

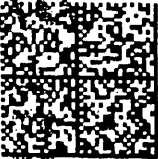
CERTIFIED MAIL™



7005 1620 0003 6239 6866

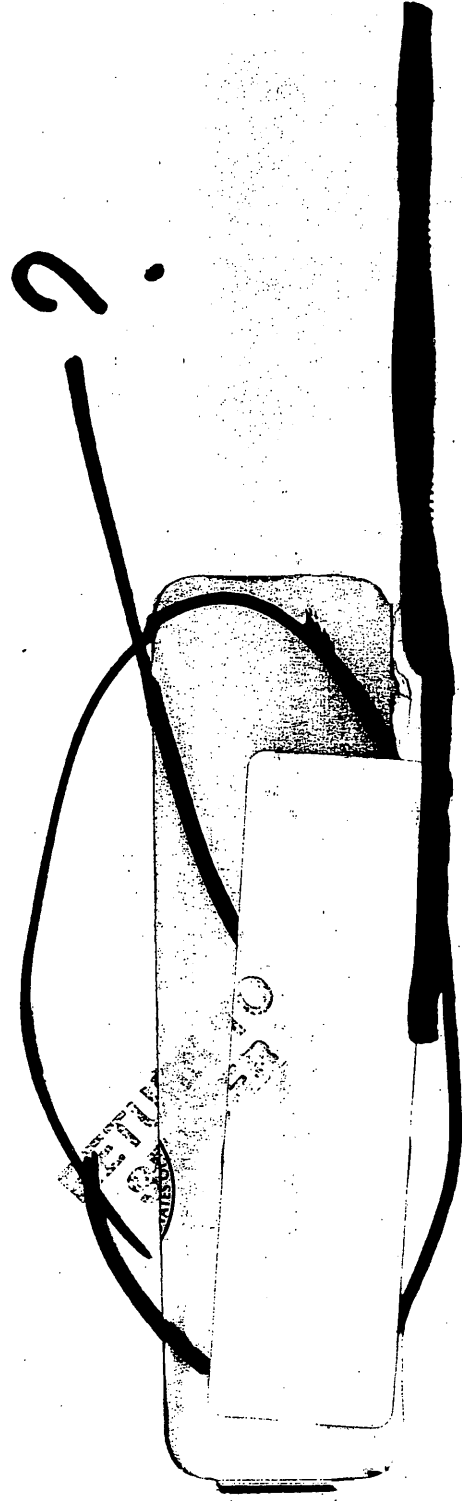
SEATTLE WA 981
NORTHERN MD 207

JAN 19 2007
PM 3:00



02 1A
0004343720 JAN 19 2007
MAILED FROM ZIP CODE 20500

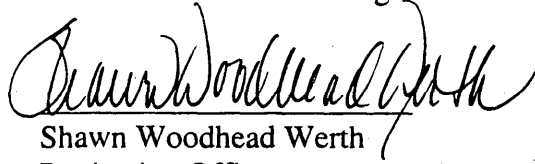
\$ 04.64⁰⁰



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, covering the period from July 1 through September 30, 2006, 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 documents identified herein are true and accurate copies of the:
 - a) Pages 1 and 3 of the Statement of Organization filed by Jane Hague for Congress and Jeffrey P. Davis, as Deputy Treasurer. According to Commission records, the Statement was received on October 7, 2003. Line 1 lists the address as "8554 122nd Ave NE PMB 145 Kirkland WA 98033. Line 8 lists Lindsey Echelbarger as Treasurer and Jeffrey Davis as the designated agent;
 - b) electronic submission filed by Jane Hague for Congress and Lindsey Echelbarger, as Treasurer. According to Commission records, the letter was received on February 7, 2006 and states that "[a]fter extensive consultation with ... Commission staff as to form and procedure, the ... Committee ... is filing amended ... reports to replace reports previously filed from 4th Quarter 2003 through Year-End 2005 ... to fully disclose recently identified unauthorized expenditures made in that period by Jennifer Brzusek Hildebrand;"
 - c) Page 1 of the Summary Page for the 2006 April Quarterly and 2006 Termination Reports filed electronically by Jane Hague for Congress. According to Commission records, the reports were received on April 15, 2006 and the Signature of Treasurer line says "Electronically Filed by Jeffrey Davis." Line 1 lists the address as "8554 122nd Ave NE PMB 145 Kirkland WA 98033" and the box labeled "Check if different than previously reported" is not checked;
 - d) Page 1 of the Summary Page and Page 4 of the Detailed Summary Page for the 2006 October Quarterly Report filed electronically by Jane Hague for Congress. According to Commission records, the report was received on February 1, 2007 and the Signature of Treasurer line says "Electronically Filed by Jeffrey P. Davis." Line 1 lists the address as "14150 NE 20th Street, PMB 303 Bellevue WA 98004" and the box labeled "Check if different than previously reported" is not checked. Lines 24 and 26 list 0.00 in total receipts and 0.00 in total disbursements, respectively, for this reporting period; and
 - e) Page 1 of the Summary Page of the 2006 July Quarterly Report filed electronically by Jane Hague for Congress. According to Commission records, the report was received on February 2, 2007. Line 1 lists the address as "14150 NE 20th Street, PMB 303 Bellevue WA 98004," and the box labeled "Check if address is changed" is checked.

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 30th of July, 2007.



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

27092612691

RECEIVED
FEC MAIL
OPERATING CENTER

2003 OCT -7 A 11:02

FEC
FORM 1

STATEMENT OF
ORGANIZATION

Office Use Only

1. NAME OF
COMMITTEE (in full)

(Check if name
is changed)

Example: If typing, type
over the lines.

12 FEB 05

NAME: WAGE ISSUE FOR CONGRESS

ADDRESS (number and street)

18534 22nd Ave. NE, P.O. Box 145

(Check if address
is changed)

Kirkland

WA

98033

CITY ▲

STATE ▲

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

lucy.hague@yahoo.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

COMMITTEE'S FAX NUMBER

2. DATE

10 06 03

3. FEC IDENTIFICATION NUMBER ▶

C

4. IS THIS STATEMENT

NEW (N)

OR

AMENDED (A)

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

Type or Print Name of Treasurer

Doreen Davis

Signature of Treasurer

[Signature]
Deputy Treasurer

Date

10 06 03

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §132g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 02/2005)

27092612692

Write or Type Committee Name

WANE HAWES for Congress

7. Custodian of Records: Identify by name, address (phone number - optional) and position of the person in possession of committee books and records

Full Name Norm Hime

Mailing Address 611 Market St

Kirkland WA 98033

Title or Position CITY STATE ZIP CODE

Data Entry Telephone number 425-889-2400

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer Lindsay Schelbarger

Mailing Address 22833 Bethell Everett Highway

Suite 207

Bethell WA 98021

Title or Position CITY STATE ZIP CODE

Telephone number 206-979-7474

Full Name of Designated Agent Jeffrey Davis

Mailing Address 5475 South 234th Street

Kenet WA 98032

Title or Position CITY STATE ZIP CODE

Telephone number 206-617-9762

173-0-07504 23038212655

ETEXT ATTACHMENT

02/07/2006 21:06

After extensive consultation with Federal Election Commission staff as to form and procedure, the Jane Hague for Congress Committee, FEC ID #C00391011 (an authorized candidate committee) is filing amended campaign finance reports to replace reports previously filed from 4th Quarter 2003 through Year-End 2005.

These amendments are required to fully disclose recently identified unauthorized expenditures made in that period by Jennifer Brzusek Hildebrand, who operated during those years as an agent of the campaign.

These unauthorized expenditures were made for the personal benefit of Jennifer Brzusek Hildebrand and were hidden from the committee until discovered in 2005.

In order to provide the most complete and accurate information for these periods, the Jane Hague for Congress Committee hired an independent certified public accountant to conduct an extensive audit of all campaign accounts to determine the true and full extent of the unauthorized expenditures.

These amended reports represent the most accurate accounting of all expenditures, both authorized and unauthorized, made during these periods:

January 31 Year End 2003
 April 15 Quarterly 2004
 July 15 Quarterly 2004
 October 15 Quarterly 2004
 January 31 Year End 2004
 April 15 Quarterly 2005
 July 15 Quarterly 2005
 October 15 Quarterly 2005
 January 31 Year End 2005

The restitution amount due to the Jane Hague for Congress Committee from Jennifer Brzusek Hildebrand was paid and will be detailed under miscellaneous income (line 14) on the committee's First Quarter 2006 report.

2709261299

**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

JANE HAGUE FOR CONGRESS

ADDRESS (number and street) 8554 122ND AVE NE PMB 145

Check if different than previously reported. (ACC)

KIRKLAND WA 98033

2. FEC IDENTIFICATION NUMBER C00391011
 CITY A STATE A ZIP CODE A STATE DISTRICT
 3. IS THIS REPORT NEW (N) OR AMENDED (A)
 WA 01

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 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 01 01 2006 through 03 31 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 Jeffrey Davis

Signature of Treasurer Electronically Filed by Jeffrey Davis Date 04 15 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 3
(Revised 02/2003)

27092612695

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

JANE HAGUE FOR CONGRESS

ADDRESS (number and street) 8554 122ND AVE NE PMB 145

Check if different than previously reported. (ACC)

KIRKLAND

WA

98033

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE STATE DISTRICT

C00391011

3. IS THIS REPORT x NEW OR AMENDED

WA 01

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 Year-End Report (YE)

x 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 04 01 2006 through 04 15 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 Jeffrey Davis

Signature of Treasurer Electronically Filed by Jeffrey Davis Date 04 15 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 3 (Revised 02/2005)

27092612696

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

JANE HAGUE FOR CONGRESS

ADDRESS (number and street) 14150 NE 20th Street, PMB 303

Check if different than previously reported. (ACC)

Belleue WA 98004

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE STATE DISTRICT

C00391011 IS THIS REPORT x NEW (N) OR AMENDED (A) WA 01

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 07 01 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 Jeffrey P. Davis

Signature of Treasurer Electronically Filed by Jeffrey P. Davis Date 12 04 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 3 (Revised 02/2006)

27092612597

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3 (Revised 02/2003)

Page 4

II. DISBURSEMENTS

COLUMN A
Total This Period

COLUMN B
Election Cycle-to-Date

17. OPERATING EXPENDITURES.....	0.00	193429.96
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	44916.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	44916.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	0.00	238345.96

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	0.00
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	0.00
25. SUBTOTAL (add Line 23 and Line 24).....	0.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	0.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	0.00

27092612698

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

JANE HAGUE FOR CONGRESS

ADDRESS (number and street) 14150 NE 20th Street, PMB 303

X Check if different than previously reported. (ACC)

Bellevue WA 98004

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE STATE DISTRICT

C00391011

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

WA 01

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 Year-End Report (YE)

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

- Primary (12P) General (12G) Runoff (12R)
Convention (12C) Special (12S)

(c) 30-Day POST-Election Report for the:

- General (30G) Runoff (30R) Special (30S)
Election on in the State of

5. Covering Period 04 16 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 Jeffrey P. Davis

Signature of Treasurer Electronically Filed by Jeffrey P. Davis Date 12 04 2006

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 431g.

Office Use Only

FEC FORM 3 (Revised 02/2006)

27092612699



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

August 1, 2007

Lindsey Echelbarger, as Treasurer
Jane Hague for Congress
14150 N.E. 20th Street
Bellevue, Washington 98004

C00391011
AF# 1548

Dear Mr. Echelbarger:

On January 17, 2007, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Jane Hague for Congress 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 \$500 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 cursive script that reads "Shawn Woodhead Werth".

Shawn Woodhead Werth
Reviewing Officer

Office of Administrative Review

cc: Jeffrey Davis, as Treasurer
Attachment

27092612700

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 AUG 20 P 1:08

August 17, 2007



Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review
Federal Elections Commission
999 E Street Northwest
Washington, D.C. 20463

RE: AF#1548
Jane Hague for Congress
C00391011

FILED BY FACSIMILE TRANSMISSION AND BY OVERNIGHT MAIL

Dear Ms. Woodhead Werth:

Please accept this letter as an appeal of the Reviewing Officer's Recommendation relating to an alleged violation of 2 U.S.C. 434(a) by the Jane Hague for Congress Committee.

This notice of appeal is being sent by FAX transmission and overnight delivery at your direction to me during a phone conversation on Wednesday, August 15th.

In this further appeal, it is our contention that the Reviewing Officer's Recommendation is based on a misinterpretation of available facts and is not supported by the evidence provided in the offered recommendation.

Supposition #1: Receipt of Letter from the Office of General Counsel

As has been previously stated in our initial appeal (please see Declaration of Timothy Jackson, March 9, 2007), and apparently accepted by FEC staff, no mail regarding Jane Hague for Congress was received by any officer, or volunteer, of the committee after March 2006 when the private mail facility being utilized by the committee went out-of-business without prior notification.

The loss of the committee's PMB address was not known until the RTB was received by myself in late Spring 2007 either by myself or Brett Bader.

The lack of receipt of the letter from the Office of General Counsel and the lack of knowledge

27092612701

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review
Further Appeal of AF#1548
August 17, 2007
Page Two

of the loss of the PMB address is, in fact, evidenced by the RAD Telecom dated 5/17/2006 relating a conversation between Brett Bader and Jennifer Pittman regarding the question of whether or not Jane Hague for Congress' Termination report had been accepted by the FEC. It should also be noted that the same RAD Telecom notes that Ms. Pittman would contact Mr. Bader once the question of acceptance of the Termination Report was determined.

Mr. Bader has no recollection of any call being subsequently received by himself from Jennifer Pittman, and no such call was noted by any RAD Telecom. Therefore, the conclusion that anyone in a position of even tangential authority had knowledge of the OGC letter not accepting the previously filed Termination Report, or the committee's ongoing responsibility to file cannot be proven by the evidence filed.

Supposition #2: Interpretation of RAD Telecom supporting Reviewing Officer's Recommendation that Jane Hague for Congress had knowledge of a continuing requirement to file

The Reviewing Officer's Recommendation next supports the January 2007 RTB with a RAD Telecom dated 7/17/2006 detailing a conversation between myself and Jennifer Pittman. While this conversation did occur it makes an interpretation of the conversation that is not accurate.

As is related in the RAD Telecom, I referenced the Termination Report with a clear indication that, by the knowledge that I had at the time, the Termination Report had been accepted and the committee's responsibility to file had come to an end. *Please note, as clearly stated in the original appeal, it was my absolute belief that with the end of the refile process worked out with FEC staff and the filing of the Termination Report, the committee had discharged its obligation to correct the public record and that no further information was required.*

27092612702

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review
Further Appeal of AF#1548
August 17, 2007
Page Three

Further, the Reviewing Officer's Recommendation uses the RAD Telecom dated 7/17/2006 to support the supposition that I was personally aware that the committee's PMB was not active and suggests that I had a responsibility to inform Ms. Pittman of the change of address. As was stated earlier, until this year (2007) I had no knowledge that the PMB address available to the Federal Election Commission was inaccurate.

Indeed no one with any knowledge of the FEC refile, the filing of the Termination Report, or the requirement for an address update, had knowledge that the PMB address was no longer active.

The basic fact is that no one with any responsibility regarding Jane Hague for Congress had any knowledge of the May 9, 2006 letter from the Office of General Counsel advising the committee of its continuing obligation to file. The ultimate location of that letter is as much a mystery to us as it is to FEC staff.

Given this, there is no evidence supporting the Reviewing Officer's Recommendation that committee either knew of its responsibility to file — lacking receipt of the letter from the Office of General Counsel — or even its responsibility to notify the FEC of a change of address because of an ongoing belief that the Termination Report had, or would, be accepted by FEC staff.

Supposition #3: Receipt of Email on Failure to File

The Reviewing Officer's Recommendation further asserts that the committee should have been aware of its Failure to File by the transmission of the Electronic Filing Office of an email to my email address noting this fact. In reviewing my email logs, I can find no email from the FEC on either date mentioned. My only explanation is that during a time when so-called "spam" mail is increasingly prevalent, the form nature of the FEC's email would have been tagged as "spam" by my company's third-party ISP and not forwarded to my in-box.

Since this appeal process has begun, I have added the FEC to my list of trusted email senders to prevent a repeat of such a occurrence.

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Supposition #4: Receipt of RTB

As was stated in the original appeal, the January 2007 RTB was never received by Jane Hague for Congress. The H.Won who signed is not an agent of the committee, nor is it clear that H.Won had any connection to the closed PMB facility. The fact that the RTB was returned *unopened* to the FEC is evidence of the committee's continuing lack of knowledge regarding this issue.

Supposition #5: Challenge Fails to Address 11 C.F.R. 111.35(b)

The Reviewing Officer's Recommendation argues that the committee's appeal fails because it does not address any of the valid excuses enumerated at 11 C.F.R. 111.35(b). I would strongly disagree for the following reasons.

- Factual Errors:**
- 1) *The Committee had no knowledge of the non-acceptance of the Termination Report, or any knowledge of the letter issued by the Office of General Counsel. This is supported by the RAD Telecom.*
 - 2) *No authority responsible for the committee knew of the closure of the PMB address, and therefore any knowledge of a requirement to notify the FEC of a new address. This was made clear in the original appeal and earlier sections of this further appeal.*
 - 3) *No authority responsible for the committee knew of the January 2007 RTB until late Spring 2007 when FEC staff contacted me directly and notified me of the Failure to File. This is supported by the return of the unopened RTB notification and the RAD Telecom.*

- Extraordinary Circumstances**
- 1) *The Failure to File was the result of a lack of followup by FEC staff notifying the committee of the May 9, 2006 letter from the Office of General Counsel. This is supported by the RAD Telecom and comment from the Reviewing Officer's Recommendation. Followup would have also notified responsible parties that the FEC had an incorrect address on file.*

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Extraordinary Circumstances 2) *The RTB is based on a supposition that the committee was aware of its requirement to file because of the non-acceptance of the filed Termination Report. As stated previously, there was no knowledge that the Termination Report had not been accepted. In fact, the Termination Report is available on the FEC's website with no accompanying document stating that it had not been accepted by FEC staff. In viewing this document, the committee rightly assumed that its obligation to file had ceased.*

The bottom line is clear. No information due to the public has been denied to the public. With no funds, the committee has filed reports that show \$zero activity and a \$zero balance. And, as was stated in the original appeal, the record clearly shows that Jane Hague for Congress has gone above and beyond in correcting a false record that was created solely as the result of criminal activity by Jennifer Brzusek-Hildebrand.

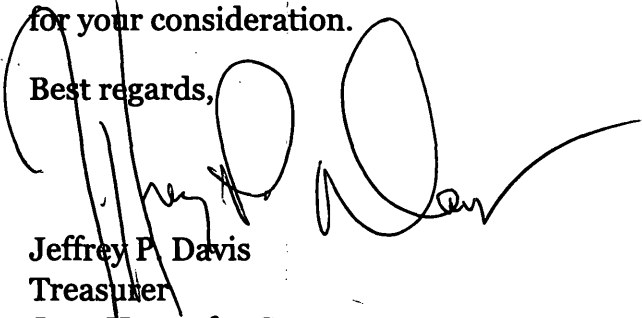
An individual who has been convicted of embezzlement and sentenced by a court in Washington state.

It would be counter to the interests of justice for the Federal Election Commission to affirm the January 2007 RTB against Jane Hague for Congress based on suppositions that are not supported by the facts, and not supported by specific knowledge known by any authority responsible to the committee.

Therefore, we respectfully request the January 2007 RTB be overturned.

If any further information is required, I may be contacted at (425) 486-8000. Thank you for your consideration.

Best regards,


Jeffrey P. Davis
Treasurer
Jane Hague for Congress
CO0391011

27092612705



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 AUG 23 P 5: 25

August 23, 2007

MEMORANDUM

SENSITIVE

To: The Commission

Through: Patrina M. Clark *PK*
Staff Director *ame*

From: John D. Gibson *JG*
Chief Compliance Officer

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

Subject: Final Determination Recommendation in AF# 1548 – Jane Hague
for Congress and Lindsey Echelbarger, as Treasurer (C00391011)

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 \$500 based on the schedule of penalties at 11 C.F.R. § 111.43.

On February 1, 2007, the respondents filed the October Quarterly Report, 109 days late. It discloses \$0 in total receipts and \$0 in total disbursements. Since the report shows that the Committee had no receipts and no disbursements during the 2006 October Quarterly reporting period and the schedule of penalties at 11 C.F.R. § 111.43(a) only provides for civil money penalties if the level of activity is \$1.00 or more, no civil money penalty would have been assessed had the report been filed prior to the RTB finding.

On March 12, 2007, the Commission received the respondents' written response, amended Statement of Organization, and Timothy Jackson's declaration ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated July 30, 2007 was forwarded to the Commission. A copy was simultaneously forwarded to the respondents. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) because they submitted no evidence that a factual error was made or that extraordinary circumstances existed which prevented them from filing the report on time, and, based on the actual level of activity for the October Quarterly reporting period (\$0), assess a civil money penalty of \$0.

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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). The Commission received their written response via facsimile and first class mail on August 20, 2007 which is attached for your review.

OAR Recommendations

- (1) Make a final determination in AF# 1548 that Jane Hague for Congress and Lindsey Echelbarger, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the level of activity disclosed on the October Quarterly Report received February 1, 2007 (\$0), assess a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$500); and
- (2) Send the appropriate letter.

Attachment

27092612707



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Friday, August 24, 2007 12:00

BALLOT DEADLINE: Wednesday, August 29, 2007 4:00

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

SUBJECT: **Final Determination Recommendation in
AF 1548 – Jane Hague for Congress and
Lindsey Echelbarger, as Treasurer (C00391011)
Memorandum from the Chief Compliance Officer
and the Reviewing Officer dated August 23, 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

27092612708

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 1548
Jane Hague for Congress and Lindsey)
Echelbarger, as Treasurer (C00391011))

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on August 29, 2007, the Commission decided by a vote of 4-0 to take the following actions in AF 1548:

1. Make a final determination in AF 1548 that Jane Hague for Congress and Lindsey Echelbarger, as Treasurer, violated 2 U.S.C. §434(a) and, based on the level of activity disclosed on the October Quarterly Report received February 1, 2007 (\$0), assess a civil money penalty of \$0 (reduced from RTB civil money penalty of \$500).
2. Send the appropriate letter.

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

Attest:

August 29, 2007
Date

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

27092612709



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 5, 2007

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lindsey Echelbarger, as Treasurer
Jane Hague for Congress
14150 N.E. 20th Street
Bellevue, Washington 98004

ID# C00391011
AF# 1548

Dear Mr. Echelbarger:

On January 17, 2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Jane Hague for Congress and you, as Treasurer ("the respondents"), 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 \$500 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On March 12, 2007, the Office of Administrative Review received the written response ("challenge") from Jeffrey P. Davis challenging the RTB finding and civil money penalty.

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 reduce the RTB civil money penalty because it was calculated on an estimated level of activity, make a final determination that the respondents violated 2 U.S.C. § 434(a), and, based on the actual level of activity disclosed on the 2006 October Quarterly Report received on February 1, 2007 (\$0), reduce the civil money penalty to \$0 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on August 1, 2007.

On August 29, 2007, the Commission adopted the Reviewing Officer's recommendation and made a final determination that the respondents violated 2 U.S.C. § 434(a) and, based on the actual level of activity on the October Quarterly Report (\$0), assess a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$500). It is based on the same factors used to calculate the RTB civil money penalty except that the actual rather than estimated level of activity was used.

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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 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,



Robert D. Lenhard
Chairman

cc: Jeffrey P. Davis, as Treasurer

27092612711



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1548

DATE SCANNED

9/27/07

SCANNER NO.

2

SCAN OPERATOR

SES

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