



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1557

DATE SCANNED 6/11/07

SCANNER NO. 2

SCAN OPERATOR SES

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 FEB - 1 A 10: 39

February 1, 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 (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 ending on September 30, 2006.

Under the Administrative Fines Program, the October Quarterly Report is considered an election-sensitive filing for authorized committees supporting candidates involved in the general election as well as all unauthorized committees. For the committees listed on the attached RTB Circulation Report, the October Quarterly Report was an election-sensitive filing. The committees either filed the report more than five (5) days after the due date, failed to file the report or failed to file the report prior to four (4) days before the general election (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties included on the attached report.

Recommendation

- (1) Find reason to believe that the political committees and their treasurers listed on the Reason to Believe (RTB) Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
- (2) Send the appropriate RTB letters.

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

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penal
1555	C00141242	AGRI-MARK, INC LEGISLATIVE AND EDUCATIONAL COMMITTEE (ALEC)		HAROLD LARRABEE	\$104,244	0	10/25/2006	10	\$14,953	\$250
1556	C00396028	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	WILLIAM A. LAWSON	\$588,725	2	10/24/2006	9	\$41,014	
1557	C00412718	AMERICANS AGAINST ILLEGAL IMMIGRATION PAC		JOHN W. LEUTHOLD	\$1,422,337	0	10/26/2006	11	\$500,041	\$5,950
1558	C00426262	COMMITTEE TO ELECT JAKE FORD FOR CONGRESS, THE	FORD, NEWTON JAKE	SIR ISAAC FORD	\$131,898	0	10/27/2006	12	\$103,759	\$2,400
1560	C00425694	IA VETS FOR CONGRESS	DUCKWORTH, L. TAMMY	MALEA STENZEL	\$149,386	0	10/24/2006	9	\$149,136	\$2,025
1562	C00419267	MOUNTJOY FOR US SENATE	MOUNTJOY, RICHARD L	PEGGY A. MEW	\$318,509	0	10/21/2006	6	\$241,010	\$2,550
1564	C00188987	NATIONAL ASSOCIATION FOR HOME CARE POLITICAL ACTION COMMITTEE		MICHAELE N. WOODS	\$136,269	0	10/29/2006	14	\$24,581	\$290
1565	C00143362	PLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE		PHIL TRUCKS JR	\$142,202	1	10/23/2006	8	\$21,885	\$287
1566	C00396655	SAN ANTONIO POLICE OFFICERS ASSOCIATION POLITICAL ACTION COMMITTEE		ROBERT GRAJEDA	\$388,946	3	10/25/2006	10	\$28,682	\$962

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penal
1567	C00417576	TERRIPAC		BRIAN SCHIAVO	\$111,837	0	10/27/2006	12	\$63,949	\$1,350
1569	C00232835	UNITED ASSOC OF JOURNEYMEN & APPRENTICES/PLUMBING & PIPE FITTING INDUSTRY LOCAL UNION 335		RICHARD G. FRANTZ	\$156,709	0	10/25/2006	10	\$63,562	\$1,200

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2006)
(Election Sensitive) October Quarterly)
Report For The Administrative Fines)
Program.:)
MOUNTJOY FOR US SENATE, and) AF# 1562
PEGGY A MEW as treasurer;)
COMMITTEE TO ELECT JAKE FORD) AF# 1558
FOR CONGRESS; THE, and SIR ISAAC)
FORD as treasurer;)
AL GREEN FOR CONGRESS, and) AF# 1556
WILLIAM A LAWSON as treasurer;)

AMERICANS AGAINST ILLEGAL) AF# 1557
IMMIGRATION PAC, and LEUTHOLD,)
JOHN W MR as treasurer;)
IA VETS FOR CONGRESS, and MALEA) AF# 1560
STENZEL as treasurer;)
SAN ANTONIO POLICE OFFICERS) AF# 1566
ASSOCIATION POLITICAL ACTION)
COMMITTEE, and ROBERT GRAJEDA)
as treasurer;)
AGRI-MARK, INC LEGISLATIVE AND) AF# 1555
EDUCATIONAL COMMITTEE (ALEC),)
and HAROLD LARRABEE as treasurer;)
NATIONAL ASSOCIATION FOR HOME) AF# 1564
CARE POLITICAL ACTION)
COMMITTEE, and MICHAEL N)
WOODS as treasurer;)
PLUMBERS LOCAL 519 POLITICAL) AF# 1565
ACTION COMMITTEE, and PHIL)
TRUCKS JR as treasurer;)
TERRIPAC, and BRIAN SCHIAVO as) AF# 1567
treasurer;)

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UNITED ASSOC OF JOURNEYMEN &) AF# 1569
APPRENTICES/PLUMBING & PIPE)
FITTING INDUSTRY LOCAL UNION)
335, and RICHARD G FRANTZ as)
treasurer:)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on February 06, 2007 the Commission took the following actions on the Reason To Believe Recommendation - 2006 (Election Sensitive) October Quarterly Report For The Administrative Fines Program. as recommended in the Reports Analysis Division's Memorandum dated February 01, 2007, on the following committees:

AF#1562 Decided by a vote of 5-0 to: (1) find reason to believe that MOUNTJOY FOR US SENATE, and PEGGY A MEW 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1558 Decided by a vote of 5-0 to: (1) find reason to believe that COMMITTEE TO ELECT JAKE FORD FOR CONGRESS; THE, and SIR ISAAC FORD 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

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AF#1556 Decided by a vote of 5-0 to: (1) find reason to believe that AL GREEN FOR CONGRESS, and WILLIAM A LAWSON 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1557 Decided by a vote of 5-0 to: (1) find reason to believe that AMERICANS AGAINST ILLEGAL IMMIGRATION PAC, and LEUTHOLD, JOHN W 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1560 Decided by a vote of 5-0 to: (1) find reason to believe that IA VETS FOR CONGRESS, and MALEA STENZEL 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1566 Decided by a vote of 5-0 to: (1) find reason to believe that SAN ANTONIO POLICE OFFICERS ASSOCIATION POLITICAL ACTION COMMITTEE, and ROBERT GRAJEDA 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1555 Decided by a vote of 5-0 to: (1) find reason to believe that AGRIMARK, INC LEGISLATIVE AND EDUCATIONAL COMMITTEE (ALEC), and HAROLD LARRABEE 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1564 Decided by a vote of 5-0 to: (1) find reason to believe that NATIONAL ASSOCIATION FOR HOME CARE POLITICAL ACTION COMMITTEE, and

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MICHAEL N WOODS 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1565 Decided by a vote of 5-0 to: (1) find reason to believe that PLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE, and PHIL TRUCKS JR 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1567 Decided by a vote of 5-0 to: (1) find reason to believe that TERRIPAC, and BRIAN SCHIAVO 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1569 Decided by a vote of 5-0 to: (1) find reason to believe that UNITED ASSOC OF JOURNEYMEN & APPRENTICES/PLUMBING & PIPE FITTING INDUSTRY LOCAL UNION 335, and RICHARD G FRANTZ 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, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

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Attest:

February 7, 2007
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 8, 2007

Mr. John W. Leuthold
Americans Against Illegal Immigration PAC
2029 Verdugo Blvd #1020
Montrose, CA 91020

C00412718
AF#: 1557

Dear Mr. John W. Leuthold:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. 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 filed on 10/26/2006, 11 days late.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 2/6/2007, the FEC found that there is reason to believe ("RTB") that Americans Against Illegal Immigration PAC 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 \$5,950. It is due by 3/18/2007 and is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$ 500,041
Number of Days Late: 11
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 3/18/2007. 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

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based on a factual error, miscalculation of the calculated civil money penalty by the FEC, or the 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

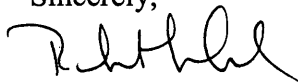
If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Americans Against Illegal Immigration PAC and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money 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 Rhiannon Ryan 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 \$5,950 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 3/18/2007. 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: Americans Against Illegal Immigration PAC

FEC ID#: C00412718

AF#: 1557

PAYMENT DUE DATE: 3/18/2007

PAYMENT AMOUNT DUE: \$ 5,950

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 MAR 28 P 12:24
March 28, 2007

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *PMC*
STAFF DIRECTOR

MARGARITA MAISONET *mm*
CHIEF COMPLIANCE OFFICER

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

SUBJECT: ADMINISTRATIVE FINE PROGRAM - FINAL
DETERMINATION RECOMMENDATION FOR THE 2006
OCTOBER QUARTERLY REPORT - ELECTION SENSITIVE

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2006 October Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents those committees that have not paid. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR 111.34 and 11 CFR 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

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RAD Recommendation

- (1) Make final determination that the political committees and their treasurers on the attached reports violated 2 U.S.C. 434(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

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Federal Election Commission
 FD Circulation Report - Fine Paid
 2006 OCTOBER QUARTERLY Election Sensitive 10/15/2006

RF	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
1555	AGRI-MARK, INC LEGISLATIVE AND EDUCATIONAL COMMITTEE (ALEC)		C00111242	HAROLD LARRABEE	10/25/2006	10	\$14,953	0	02/06/2007	\$250	\$250	3/19/2007	\$250
1556	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	C00396026	WILLIAM A LAWSON	10/24/2006	9	\$41,014	2	02/06/2007	\$787	\$787	3/22/2007	\$787
1558	COMMITTEE TO ELECT JAKE FORD FOR CONGRESS, THE	FORD, NEWTON JAKE	C00426262	SIR ISAAC FORD	10/27/2006	12	\$103,759	0	02/06/2007	\$2,400	\$2,400	3/19/2007	\$2,400
1560	JAEVE'S FOR CONGRESS	SESTAK, JOSEPH A JR	C00425694	MALEA STENZEL	10/24/2006	9	\$148,136	0	02/06/2007	\$2,025	\$2,025	3/15/2007	\$2,025
1562	MOUNT JOY FOR US SENATE	MOUNT JOY, RICHARD L	C00419267	PEGGY A MEW	10/21/2006	6	\$241,010	0	02/06/2007	\$2,550	\$2,550	3/15/2007	\$2,550
1564	NATIONAL ASSOCIATION FOR HOME CARE POLITICAL ACTION COMMITTEE		C00389887	MICHAEL WOODS	10/29/2006	7	\$21,681	0	02/06/2007	\$290	\$290	3/7/2007	\$290
1565	FLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE		C00143362	PHIL TRUCKS JR	10/23/2006	8	\$21,885	1	02/06/2007	\$287	\$287	2/26/2007	\$287
1566	SAN ANTONIO POLICE OFFICERS ASSOCIATION POLITICAL ACTION COMMITTEE		C00396652	ROBERT GRAJEDA	10/25/2006	10	\$28,682	3	02/06/2007	\$962	\$962	3/16/2007	\$962
1567	TERRIPAC		C00417576	BRIAN SCHIAVO	10/27/2006	12	\$63,949	0	02/06/2007	\$1,350	\$1,350	3/22/2007	\$1,350

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Federal Election Commission
 FD Circulation Report - Fine Not Paid
 2006 OCTOBER QUARTERLY Election Sensitive 10/15/2006

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
1557	AMERICANS AGAINST ILLEGAL IMMIGRATION PAC		C00412718	LEUTHOLD, JOHN W MR	10/26/2006	11	\$500,041	0	02/06/2007	\$5,950	50	\$5,950
1569	UNITED ASSOC OF JOURNEYMEN & APPRENTICES/PLUMBING & PIPE FITTING INDUSTRY		C00232835	RICHARD G FRANTZ	10/25/2006	10	\$63,562	0	02/06/2007	\$1,200	50	\$1,200

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fines Final Determination)
Recommendation for the 2006 October)
Quarterly Report (Election Sensitive):)
AMERICANS AGAINST ILLEGAL) AF# 1557
IMMIGRATION PAC, and LEUTHOLD,)
JOHN W MR as treasurer;)

UNITED ASSOC OF JOURNEYMEN &) AF# 1569
APPRENTICES/PLUMBING & PIPE)
FITTING INDUSTRY LOCAL UNION)
335, and RICHARD G FRANTZ as)
treasurer;)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on April 02, 2007 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the 2006 October Quarterly Report (Election Sensitive) as recommended in the Reports Analysis Division's Memorandum dated March 28, 2007, on the following committees:

AF#1557 Decided by a vote of 4-0 to: (1) make a final determination that AMERICANS AGAINST ILLEGAL IMMIGRATION PAC, and LEUTHOLD, JOHN W MR as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Lenhard, Mason, von

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Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1569 Decided by a vote of 4-0 to: (1) make a final determination that UNITED ASSOC OF JOURNEYMEN & APPRENTICES/PLUMBING & PIPE FITTING INDUSTRY LOCAL UNION 335, and RICHARD G FRANTZ as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

Attest:

April 2, 2007
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 4, 2007

Mr. John W. Leuthold, Treasurer
Americans Against Illegal Immigration PAC
2029 Verdugo Blvd #1020
Montrose, CA 91020

C00412718
AF# 1557

Dear Mr. John W. Leuthold,

On 2/6/2007, the Federal Election Commission ("FEC") found reason to believe ("RTB") that Americans Against Illegal Immigration PAC and you, as treasurer, violated 2 U.S.C. 434(a) for failing to timely file the 2006 October Quarterly Report. By letter dated 2/8/2007, the FEC sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$5,950 in accordance with the schedule of penalties at 11 C.F.R. 111.43. Within 40 days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or your written response within the time permitted. The Commission made a final determination on 4/2/2007 that you, as treasurer, and Americans Against Illegal Immigration PAC violated 2 U.S.C. 434(a) and assessed a civil money penalty in the amount of \$5,950 in accordance with 11 C.F.R. 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$500,041
Number of Previous Violations: 0
Number of Days Late: 11

To Pay the Civil Money Penalty

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

If You Do Not Pay the Civil Money Penalty

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

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

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

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

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

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

Sincerely,



Robert D. Lenhard
Chairman

27092502873

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the civil money penalty is \$5,950 for the 2006 October Quarterly Report.

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

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

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

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

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

Payments by Personal Check

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Americans Against Illegal Immigration PAC

FEC ID#: C00412718

AF#: 1557

PAYMENT AMOUNT DUE: \$5,950

27092602874

SUBSEQUENT TO THE MARCH 28, 2007 MEMORANDUM TO THE COMMISSION IN WHICH THEY WERE LISTED AS NOT HAVING PAID, THE COMMITTEE IN THE FOLLOWING CASE HAS PAID ADMINISTRATIVE FINES:

1557

27092602875

FOR: Americans Against Illegal Immigration PAC

FEC ID#: C00412718

AF#: 1557

PAYMENT AMOUNT DUE: \$5,950

524

27092602876

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000595000 BA# 1 05-31-07 20 4



usbancorp.
The Star Service Corporation

AMERICANS AGAINST ILLEGAL IMMIGRATION, INC.		6089
[REDACTED]		16-24/1220 4572 3846100805
Federal Election Commission		Date <u>May 24, 2007</u>
P ay to the	Order of	\$ 5,950.00
***** Five thousand nine hundred fifty & no/100s *****		Dollar
WELLS FARGO	Wells Fargo Bank, N.A. California wellsfargo.com	
For	Penalty payment UNDER PROTEST	<i>Cellen E. Brandstatter</i>
[REDACTED]		



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1557

DATE SCANNED

6/11/07

SCANNER NO.

2

SCAN OPERATOR

SES

27092602877