



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1597

DATE SCANNED 1/14/08

SCANNER NO. 2

SCAN OPERATOR EEJ

20092614242



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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FEDERAL ELECTION
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2007 MAR -2 P 2:49

March 2, 2006

SENSITIVE

MEMORANDUM

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *Just for PMC*
STAFF DIRECTOR

MARGARITA MAISONET *MM*
CHIEF COMPLIANCE OFFICER

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

SUBJECT: REASON TO BELIEVE RECOMMENDATION -
2006 12 DAY PRE-GENERAL REPORT FOR THE
ADMINISTRATIVE FINES PROGRAM

Attached is a list of political committees and their treasurers who failed to file or timely file the 2006 12 Day Pre-General Report in accordance with 2 U.S.C. 434(a). The list is comprised of unauthorized committees that file monthly and authorized committees whose candidates sought election in the November 7th General Election. The filing of the 12 Day Pre-General Report is mandatory in both cases.

On October 2, 2006, Prior Notices were sent to the political committees and their treasurers, informing them that the report was due on October 26, 2006 and should cover the period from October 1, 2006 through October 18, 2006.

The committees appearing on the list 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 at 11 CFR 111.43, these committees should be assessed the civil money penalties outlined on the attached Reason to Believe (RTB) circulation list.

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For your information, the Penske Truck Lending Co LP Political Action Committee (AF 1595) filed a 2006 November Monthly Report in lieu of the required 2006 12 Day Pre-General Report. RAD calculated a proposed civil money penalty based on a prorated activity level of 58.0%. This figured was determined based on the percentage of the November Monthly Report that comprised the 12 Day Pre-General Report, i.e. while only 18 days were required for the 12G, 31 days were actually reported on the M11.

Additionally, Road to Victory Political Action Committee (AF 1596) also filed a 2006 November Monthly Report in lieu of the required 2006 12 Day Pre-General Report. RAD was able to calculate the proposed civil money penalty based upon the actual activity level, since all activity on the report was itemized.

As stated at the outset, this RTB circulation only includes those unauthorized committees filing monthly reports and authorized committees supporting candidates who were in the general election. An unauthorized committee that files on a quarterly basis must file the 12 Day Pre-General Report only if it makes a contribution to, or an expenditure on behalf of, a candidate in the general election between the dates of October 1, 2006 and October 18, 2006. The universe of quarterly filers required to file this report cannot be determined with any certainty until we are able to review the activity disclosed in the 30 Day Post-General Report submitted by quarterly filers. Once this research is completed, we will circulate the RTB recommendations for the failure to file or failure to timely file the 12 Day Pre-General Report by unauthorized quarterly filers.

Recommendation

1. Find reason to believe that the political committees and their treasurers, listed on the attached RTB circulation list violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts so indicated on the circulation list.
2. Send the appropriate letter.

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Federal Election Commission
Reason to Believe Circulation Report
2006 PRE-GENERAL Election Sensitive 10/26/2006

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1573	C00114694	AIR TRANSPORT ASSOCIATION OF AMERICA POLITICAL ACTION COMMITTEE; THE		PAUL ARCHAMBEAULT	\$249,190	2	11/1/2006	6	\$916	\$165
1574	C00396028	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	WILLIAM A LAWSON	\$598,969	2	11/8/2006	Not Filed	\$10,237	\$1,350
1575	C00335232	ALLEGHENY ENERGY, INC. FEDERAL POLITICAL ACTION COMMITTEE (ALLEGHENY POWERPAC - FEDERAL)		MICHAEL T. KRINER	\$421,082	1	11/15/2006	Not Filed	\$7,043	\$750
1576	C00142489	ALLETE PAC (ALLETE POLITICAL ACTION COMMITTEE)		AARON B. DAVIS	\$101,621	0	11/14/2006	Not Filed	\$6,829	\$600
1577	C00332924	ARMOR HOLDINGS, INC. POLITICAL ACTION COMMITTEE (ARMOR HOLDINGS PAC)		JOHN BACKUS	\$224,991	0	12/18/2006	Not Filed	\$3,441	\$500
1578	C00423335	BYRNE FOR CONGRESS COMMITTEE (BYRNE)	BYRNE, MARK	JILL K. HUEY	\$107,086	0	11/6/2006	Not Filed	\$9,987	\$600
1579	C00283986	CHEVY CHASE BANK F S B POLITICAL ACTION COMMITTEE		STEPHEN R. HALPIN, JR.	\$272,245	0	11/9/2006	Not Filed	\$10,568	\$900
1580	C00370122	COMMITTEE FOR A DEMOCRATIC FUTURE		WEINER, GERALD T. MR.	\$290,489	0	11/19/2006	Not Filed	\$12,001	\$900
1581	C00416321	COMMITTEE TO ELECT BRAD BLANTON	BLANTON, BRAD	BURCHARD, JUSTIN	\$112,351	0	11/3/2006	Not Filed	\$3,242	\$500
1582	C00387555	COUNCIL FOR A LIVABLE WORLD CANDIDATE FUND		JOHN D. ISAACS	\$439,946	0	12/13/2006	Not Filed	\$27,186	\$1,400

Aff#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1583	C00248849	CROPLIFE AMERICA POLITICAL ACTION COMMITTEE		MR. JAY VROOM	\$268,721	0	11/11/2006	6	\$8,062	\$160
1584	C00279380	DISTRICT NO. 1 PCD, MIEBA POLITICAL FUND (MIEBA PAE)		MR. BILL VAN LOO	\$1,135,875	0	11/28/2006	Not Filed	\$43,777	\$1,400
1585	C00341552	DOLLAR THRIFTY AUTOMOTIVE GROUP INC PAC (DTAG PAC)		PAMELA S. PECK	\$182,002	0	11/16/2006	Not Filed	\$1,293	\$500
1586	C00003756	FOOD PRODUCTS ASSOCIATION POLITICAL ACTION COMMITTEE (FPA PAC)		MR. CALVIN DOOLEY	\$114,222	0	11/20/2006	Not Filed	\$1,746	\$500
1587	C00397836	FRIENDS OF RICHARD HOFFMAN	HOFFMAN, RICHARD A	VICKI HOFFMAN	\$119,770	2	11/11/2006	6	\$5,153	\$240
1589	C00388793	GROWTH AND PROSPERITY POLITICAL ACTION COMMITTEE		JOEY DOBBS	\$1,997,649	0	11/21/2006	Not Filed	\$16,336	\$900
1590	C00415521	KEVIN ZEESER FOR US SENATE	ZEESER, KEVIN	JOHN OTTO LOW	\$118,978	0	11/11/2006	6	\$12,812	\$210
1591	C00095059	L A PAC		IRWIN LEVIN	\$581,440	0	11/21/2006	Not Filed	\$161,868	\$6,000
1592	C00165535	LOCAL 401 IRONWORKERS POLITICAL ACTION FUND		JOSEPH J. DOUGHERTY	\$358,497	0	11/17/2006	Not Filed	\$20,650	\$900
1593	C00420091	MAATTA FOR CONGRESS CAMPAIGN COMMITTEE	MAATTA, RANDAL G	DEBRA C. MAATTA	\$194,712	2		Not Filed	\$64,904 (est)	\$4,500
1594	C00153031	OREGON REPUBLICAN PARTY		CHARLES S. OAKES	\$1,079,020	1	11/20/2006	Not Filed	\$56,383	\$3,750
1595	C00373217	PENSKE TRUCK LEASING CO LP POLITICAL ACTION COMMITTEE		JAMES A. ROSEN	\$122,160	0	11/14/2006	Not Filed	\$5,603	\$600

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1596	C00385377	ROAD TO VICTORY POLITICAL ACTION COMMITTEE		CHRISTOPHER HOGIN	\$852,303	0	11/20/2006	Not Filed	\$14,000	\$900
1597	C00396291	TEAM AMERICA POLITICAL ACTION COMMITTEE INC		SHARON KORCHNAK	\$1,639,694	1	11/21/2006	Not Filed	\$32,761	\$1,750
1598	C00358366	PESORO PETEROLEUM CORPORATION POLITICAL ACTION COMMITTEE		MATTHEW R. CHAPMAN	\$1,659,016	0	11/21/2006	Not Filed	\$12,250	\$900
1599	C00325498	THE FRED D. THOMPSON PAC		SUZIE BROWNING	\$165,049	0	11/1/2006	6	\$25,000	\$450
1600	C00414417	TOM BARLOW FOR CONGRESS '06	BARLOW, THOMAS J III	SHIRLEY J BARLOW	\$216,856	0	11/1/2006	6	\$45,005	\$450
1601	C00172841	UNITED EGG ASSOCIATION EGGPAC		ALBERT E. POPE	\$352,258	0	11/16/2006	Not Filed	\$14,063	\$900
1602	C00040741	UTILITY WORKERS UNION OF AMERICA POLITICAL CONTRIBUTIONS COMMITTEE		GARY RUFFNER	\$399,088	0	11/20/2006	Not Filed	\$65,025	\$3,000

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2006)
12 Day Pre-General Report For The)
Administrative Fines Program.:)
TOM BARLOW FOR CONGRESS '06, and) AF# 1600
SHIRLEY J BARLOW as treasurer;)
KEVIN ZEESE FOR US SENATE, and) AF# 1590
JOHN OTTO LOW as treasurer;)
FRIENDS OF RICHARD HOFFMAN, and) AF# 1587
Hoffman, Vicki as treasurer;)

BYRNE FOR CONGRESS COMMITTEE;) AF# 1578
THE, and JILL K HUEY as treasurer;)
MAATTA FOR CONGRESS CAMPAIGN) AF# 1593
COMMITTEE, and DEBRA C MAATTA)
as treasurer;)
AL GREEN FOR CONGRESS, and) AF# 1574
WILLIAM A LAWSON as treasurer;)
COMMITTEE TO ELECT BRAD) AF# 1581
BLANTON, and Burchard, Justin as)
treasurer;)
AIR TRANSPORT ASSOCIATION OF) AF# 1573
AMERICA POLITICAL ACTION)
COMMITTEE; THE, and PAUL)
ARCHAMBEAULT as treasurer;)
CROPLIFE AMERICA POLITICAL) AF# 1583
ACTION COMMITTEE, and Vroom, Jay)
Mr. as treasurer;)
THE FRED D. THOMPSON PAC, and) AF# 1599
SUZIE BROWNING Treasurer as treasurer;)
ALLEGHENY ENERGY INC. FEDERAL) AF# 1575
POLITICAL ACTION COMMITTEE)
(ALLEGHENY POWERPAC -)
FEDERAL), and Kriner, Michael T. as)
treasurer;)

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ALLETE PAC (ALLETE POLITICAL ACTION COMMITTEE), and AARON B DAVIS as treasurer; AF# 1576
ARMOR HOLDINGS INC. POLITICAL ACTION COMMITTEE (ARMOR HOLDINGS PAC), and Backus, John as treasurer;) AF# 1577
CHEVY CHASE BANK F S B POLITICAL ACTION COMMITTEE, and STEPHEN R. HALPIN, JR. as treasurer;) AF# 1579
COMMITTEE FOR A DEMOCRATIC FUTURE, and Weiner, Gerald T. Mr. as treasurer;) AF# 1580
COUNCIL FOR A LIVABLE WORLD CANDIDATE FUND, and JOHN D. ISAACS as treasurer;) AF# 1582
DISTRICT NO 1-PCD MEBA POLITICAL ACTION FUND (MEBA-PAF), and McIntyre, Cecil as treasurer;) AF# 1584
DOLLAR THRIFTY AUTOMOTIVE GROUP INC PAC (DTAG PAC), and PAMELA S PECK as treasurer;) AF# 1585
FOOD PRODUCTS ASSOCIATION POLITICAL ACTION COMMITTEE (FPA-PAC), and Dooley, Calvin Mr. as treasurer;) AF# 1586
GROWTH AND PROSPERITY POLITICAL ACTION COMMITTEE, and JOEY DOBBS as treasurer;) AF# 1589
L A PAC, and Levin, Irwin as treasurer;) AF# 1591
LOCAL 401 IRON WORKERS POLITICAL ACTION FUND, and JOSEPH J DOUGHERTY as treasurer;) AF# 1592
PENSKE TRUCK LEASING CO LP POLITICAL ACTION COMMITTEE, and JAMES A ROSEN as treasurer;) AF# 1595
ROAD TO VICTORY POLITICAL ACTION COMMITTEE, and Hogin, Christopher as treasurer;) AF# 1596
TEAM AMERICA POLITICAL ACTION COMMITTEE INC, and Sharon Korchnak as treasurer;) AF# 1597
TESORO PETROLEUM CORPORATION POLITICAL ACTION COMMITTEE, and MATTHEW R CHAPMAN as treasurer;) AF# 1598

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UNITED EGG ASSOCIATION EGGPAC,) AF# 1601
and Albert E. Pope, Albert Mr. as treasurer;)
UTILITY WORKERS UNION OF) AF# 1602
AMERICA POLITICAL)
CONTRIBUTIONS COMMITTEE, and)
GARY RUFFNER as treasurer;)
OREGON REPUBLICAN PARTY, and) AF# 1594
Charles S. Oakes as treasurer;)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on March 07, 2007 the Commission took the following actions on the Reason To Believe Recommendation - 2006 12 Day Pre-General Report For The Administrative Fines Program. as recommended in the Reports Analysis Division's Memorandum dated March 07, 2007, on the following committees:

AF#1600 Decided by a vote of 6-0 to: (1) find reason to believe that TOM BARLOW FOR CONGRESS '06, and SHIRLEY J BARLOW 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1590 Decided by a vote of 6-0 to: (1) find reason to believe that KEVIN ZEESE FOR US SENATE, and JOHN OTTO LOW 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1587 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF RICHARD HOFFMAN, and Hoffman, Vicki 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

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AF#1578 Decided by a vote of 6-0 to: (1) find reason to believe that **BYRNE FOR CONGRESS COMMITTEE; THE,** and **JILL K HUEY** 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1593 Decided by a vote of 6-0 to: (1) find reason to believe that **MAATTA FOR CONGRESS CAMPAIGN COMMITTEE,** and **DEBRA C MAATTA** 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1574 Decided by a vote of 6-0 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1581 Decided by a vote of 6-0 to: (1) find reason to believe that **COMMITTEE TO ELECT BRAD BLANTON,** and **Burchard, Justin** 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1573 Decided by a vote of 6-0 to: (1) find reason to believe that **AIR TRANSPORT ASSOCIATION OF AMERICA POLITICAL ACTION COMMITTEE; THE,** and **PAUL ARCHAMBEAULT** 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1583 Decided by a vote of 6-0 to: (1) find reason to believe that **CROPLIFE AMERICA POLITICAL ACTION COMMITTEE,** and **Vroom, Jay 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 letter.

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

AF#1599 Decided by a vote of 6-0 to: (1) find reason to believe that THE FRED D. THOMPSON PAC, and SUZIE BROWNING Treasurer 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1575 Decided by a vote of 6-0 to: (1) find reason to believe that ALLEGHENY ENERGY INC. FEDERAL POLITICAL ACTION COMMITTEE (ALLEGHENY POWERPAC - FEDERAL), and Kriner, Michael T. 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1576 Decided by a vote of 6-0 to: (1) find reason to believe that ALLETE PAC (ALLETE POLITICAL ACTION COMMITTEE), and AARON B DAVIS 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1577 Decided by a vote of 6-0 to: (1) find reason to believe that ARMOR HOLDINGS INC. POLITICAL ACTION COMMITTEE (ARMOR HOLDINGS PAC), and Backus, John 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1579 Decided by a vote of 6-0 to: (1) find reason to believe that CHEVY CHASE BANK F S B POLITICAL ACTION COMMITTEE, and STEPHEN R. HALPIN, 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1580 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE FOR A DEMOCRATIC FUTURE, and Weiner, Gerald T. 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1582 Decided by a vote of 6-0 to: (1) find reason to believe that COUNCIL FOR A LIVABLE WORLD CANDIDATE FUND, and JOHN D. ISAACS 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1584 Decided by a vote of 6-0 to: (1) find reason to believe that DISTRICT NO 1-PCD MEBA POLITICAL ACTION FUND (MEBA-PAF), and McIntyre, Cecil 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1585 Decided by a vote of 6-0 to: (1) find reason to believe that DOLLAR THRIFTY AUTOMOTIVE GROUP INC PAC (DTAG PAC), and PAMELA S PECK 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1586 Decided by a vote of 6-0 to: (1) find reason to believe that FOOD PRODUCTS ASSOCIATION POLITICAL ACTION COMMITTEE (FPA-PAC), and Dooley, Calvin 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1589 Decided by a vote of 6-0 to: (1) find reason to believe that GROWTH AND PROSPERITY POLITICAL ACTION COMMITTEE, and JOEY DOBBS 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1591 Decided by a vote of 6-0 to: (1) find reason to believe that L A PAC, and Levin, Irwin 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1592 Decided by a vote of 6-0 to: (1) find reason to believe that LOCAL 401 IRON WORKERS POLITICAL ACTION FUND, and JOSEPH J DOUGHERTY 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

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

AF#1595 Decided by a vote of 6-0 to: (1) find reason to believe that PENSKE TRUCK LEASING CO LP POLITICAL ACTION COMMITTEE, and JAMES A ROSEN 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1596 Decided by a vote of 6-0 to: (1) find reason to believe that ROAD TO VICTORY POLITICAL ACTION COMMITTEE, and Hogin, Christopher as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1597 Decided by a vote of 6-0 to: (1) find reason to believe that TEAM AMERICA POLITICAL ACTION COMMITTEE INC, and Sharon Korchnak 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1598 Decided by a vote of 6-0 to: (1) find reason to believe that TESORO PETROLEUM CORPORATION POLITICAL ACTION COMMITTEE, and MATTHEW R CHAPMAN 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1601 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED EGG ASSOCIATION EGGPAC, and Albert E. Pope, Albert 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1602 Decided by a vote of 6-0 to: (1) find reason to believe that UTILITY WORKERS UNION OF AMERICA POLITICAL CONTRIBUTIONS COMMITTEE, and GARY RUFFNER 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

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AF#1594 Decided by a vote of 6-0 to: (1) find reason to believe that OREGON REPUBLICAN PARTY, and Charles S. Oakes 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 letter. Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

Attest:

March 8, 2007
Date

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

20092614255



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 9, 2007

Sharon Korchnak
Team America Political Action Committee Inc.
501 Church Street #217
Vienna, VA 22180

C00396291
AF#: 1597

Dear Sharon Korchnak:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report is required if your committee makes a contribution to or expenditure on behalf of a candidate in the general election. This report, covering the period through October 18th, shall be filed no later than October 26th. 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 prior to four (4) days before the General Election held on November 7th. You should file the 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 3/7/2007, the FEC found that there is reason to believe ("RTB") that Team America Political Action Committee Inc. and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before October 26th. Based on the FEC's schedules of civil money penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,750. It is due by 4/16/2007 and is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$32,761
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 1

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 4/16/2007. 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 existence of extraordinary

20092614256

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

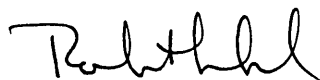
If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Team America Political Action Committee Inc. and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money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

28092614257

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at RTB is \$1,750 for the 2006 12 Day Pre-General 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 4/16/2007. 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: Team America Political Action Committee Inc.

FEC ID#: C00396291

AF#: 1597

PAYMENT DUE DATE: 4/16/2007

PAYMENT AMOUNT DUE: \$1,750

28092614258



TEAM AMERICA

A Political Action Committee
Committed to Securing our Borders

FEC OFFICE OF
ADMIN REVIEW

2007 APR 16 P 3:42

April 12, 2007

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

Bay Buchanan
Chairman

C00396291
AF#: 1597

To Whom It May Concern:

28092614259
"The defense
of a nation
begins at
its borders."

Congressman
Tom Tancredo

In response to your March 9 letter cited above, and as revised on April 2, 2007, Team America submits the following:

At the time of preparation for our October filing, I searched for information on the requirements of the 12-Day Pre-General Report of Receipts and Disbursements. The information I found at that time stated that "This report is required if your committee makes a contribution to or expenditure on behalf of a candidate in the general election." Because we did not make such an expenditure or contribution, we concluded that no Pre-General Report would be required. Given that we filed our October filing on time (shortly before the 20th of October), we were in a perfect position to file the Pre-General had we believed we needed to do so.

Even though we felt that statement exempted us from this report, I specifically made a phone call to our analyst and told him of our presumption. He agreed that we did not need to file a Pre-General Report, as long as we had not made a contribution to or expenditure on behalf of a candidate in the general election. Had that not been the case, that would certainly have been the right time to correct this notion. That did not happen.

Instead, we received somewhat later an alert that we had not filed this report as we *were required to do*. We filed it immediately at that point.

The *correct* requirement was, at that point, brought to our attention and, in hindsight, we realized our error. However, a simple comment or question by our FEC analyst would have prompted us to file the report, which we would have then done in a timely fashion.

Certainly we are responsible for our own reports. We simply felt, and still feel, that we should be able to ask questions or advice of our analyst and expect to be able to depend on the answer, based on his much stronger knowledge base.

Page 2
Federal Election Campaign

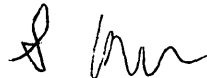
The Federal Election Commission still, is vague in the explanation, as evidenced by the fact that even your letter to us of March 9 had to be revised on April 2 to correct the statement which read "This report is required if your committee makes a contribution to or expenditure on behalf of a candidate in the general election." Only in the April 2 letter is there a mention of "committees filing on a *monthly* reporting schedule file a 12 Day Pre-General Report."

As stated earlier, yes, we did have a responsibility to file the report, and we did so as soon as we discovered our error. A simple reminder *when the phone request was made specifically for the purpose of "doing it right"* would have avoided this situation.

Our analysts have been very helpful in the past, as they have been since then; we certainly don't believe there was any intention to either mislead or fail to help us. We simply feel that there should be a level of certainty once a request for assistance is made, and in this case that was missing and we acted on erroneous information.

We respectfully await your decision in this matter.

Sincerely,



Sharon Korchnak
Treasurer

28092614260



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 17, 2007

Sharon Korchnak, as Treasurer
Team America Political Action Committee Inc.
501 Church Street, Suite 217
Vienna, VA 22180

C00396291
AF# 1597

Dear Ms. Korchnak:

On April 16, 2007, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

Jill I. Sugarman

Jill I. Sugarman
Reviewing Analyst
Office of Administrative Review

19271976997

2007 APR 19 A 8:32

Date: April 19, 2007

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

AF#: 1597

Committee Name: Team America Political Action Committee Inc.

Committee ID#: C00396291

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

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

Attachments:

Copy of RTB Circulation Report, dated March 2, 2007 and RTB Certification, dated March 7, 2007: Previously Forwarded

Attachment #: N/A

Certified Return Receipt of RTB Letter, dated March 9, 2007: N

Attachment #: N/A

Certified Return Receipt of RTB Letter, dated April 2, 2007: 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 Pre-General Report Prior Notice, dated October 2, 2006.

-Non-Filer Letter, dated November 14, 2006.

-RTB Letter, dated March 9, 2007, with incorrect language.

-RTB Letter, dated April 2, 2007, with corrected language.


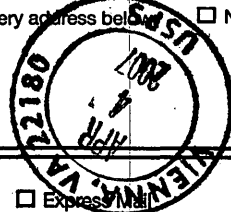
Attachment #: 3

Other RAD Information: Fax Transmittal

Attachment#: 4

20092614262

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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. 	<p>A. Signature  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Sharon Korchnak Team America Political Action Cmte, Inc. 501 Church Street #217 Vienna, VA 22180</p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery</p>
	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below <input type="checkbox"/> No</p> 	
	<p>3. Service Type</p> <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.	
	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>	<p>7006 0810 0005 9266 6235</p>	
<p>PS Form 3811, February 2004</p>		<p>Domestic Return Receipt</p>
		<p>102595-02-M-15</p>

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 Team America Political Action Committee Inc.:
 - A) Non-Filer Letter, dated November 14, 2006, referencing the 2006 Pre-General Report;
 - B) Reason-to-Believe Letter, dated March 9, 2007, referencing the 2006 Pre-General Report with incorrect language.
 - C) Reason-to-Believe Letter, dated April 2, 2007, referencing the 2006 Pre-General Report with corrected language.
3. I hereby certify that I have searched the Commission's public records and find that Team America Political Action Committee Inc. filed the 2006 Pre-General Report with the Commission on November 21, 2006.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 19th day of April, 2007.



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

729741976087



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 14, 2006

RQ-7

Sharon Korchnak, Treasurer
Team America Political Action Committee
501 Church Street #217
Vienna, VA 22180

IDENTIFICATION NUMBER: C00396291

Reference: 12 Day Pre-General Report 10/1/2006 - 10/18/2006

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. A copy of the report or relevant portions must also be filed with the Secretary of the 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 Christopher Ritchie 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)

2603827248992614265



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 AUG -1 A 11:33

August 1, 2007

SENSITIVE

MEMORANDUM

To: The Commission

Through: Patrina M. Clark *PMC*
Staff Director

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

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

Subject: AF# 1597 – Team America Political Action Committee Inc. and
Sharon Korchnak, as Treasurer (C00396291)

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

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

Attachment

28092614266



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 1, 2007

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

AF #1597 – Team America Political Action Committee Inc. and Sharon Korchnak,
as Treasurer (C00396291)

On March 7, 2007, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failure to file the 2006 12 Day Pre-General Report, an election sensitive report, and made a preliminary determination that the civil money penalty was \$1,750 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on March 9, 2007 of the Commission's RTB finding and civil money penalty. Because this notice referred to the filing requirement for quarterly filers, not monthly filers, a corrected notice was sent to them on April 2, 2007.

Respondents' Response

On April 16, 2007, the Commission received the written response ("challenge") from the Treasurer who says that her RAD Analyst gave her incorrect information about the 12 Day Pre-General filing requirement as she called him and was told that she was not required to file this report. She asserts that if he had advised her that she needed to file this report that she would have filed it on time. In addition, she says that she "searched for information" on the requirements for the 12 Day Pre-General Report and "concluded that no Pre-General Report would be required."

Analysis

The Federal Election Campaign Act ("Act") requires that, in lieu of filing the report due in November of any year in which a regularly scheduled general election is held, the treasurer of a political committee shall file a 12 day pre-election report no later than the 12th day before the election. 2 U.S.C. § 434(a)(4)(B) and 11 C.F.R. § 104.5(c)(3)(ii). An electronically filed 2006 12 Day Pre-General Report must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on October 26, 2006 to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

RAD's telecoms (written records of telephone conversations) show that the RAD Analyst assigned to the Committee spoke with the Treasurer on October 27, 2006, the day after the report was due, about 24-hour notice filing requirements. There is no reference in the telecom to a discussion regarding the 12 Day Pre-General Report. Assuming they had discussed the filing on October 27 and he had told the Treasurer she must file it, she could not have filed it on time as it would have already been one day late.

They next spoke on November 21, 2006, after the Treasurer's receipt of the Non-Filer Notice. She told him that he had previously advised her that she did not have to file

28092614267

the report. The Analyst said that she was required to file it because the Committee is a monthly filer, referred to his October 27 telecom, and said to her that his notes indicate that "at no time during [that] conversation" had she inquired about the 12 Day Pre-General requirements; instead, she asked about the 24-hour notice requirements. The Treasurer agreed that she asked about the latter but re-iterated that he told her not to file the report. The Analyst again said that he did not tell her that on October 27. When she asked if they would be fined, he transferred her call to the Compliance Analyst who returned her telephone call that same day and left a message explaining the filing requirements for the 12 Day Pre-General and 30 Day Post-General Reports.

As a monthly filer since August 2004, the Committee was required to file the 12 Day Pre-General Report. The Treasurer was aware of this requirement as she was required to file this report in 2004, and they were assessed a fine when it was not filed on time (see AF# 1264). They were also notified of this requirement for 2006 the day after the report was due, on October 27, when the Electronic Filing Office sent a notice to the email address which they previously provided, eric@theamericancause.org, telling them that they had failed to file the report.

The Treasurer states that, when preparing the October Monthly Report, she found information that said that they only had to file the Pre-General Report if they made a contribution to or expenditure on behalf of a candidate in the general election. She does not say where she found this information or the context in which it was provided. That advice is accurate if they were filing reports on a quarterly schedule (see 2 U.S.C. § 434(a)(4)(A)(ii)) but they chose to file on a monthly schedule which means they must file it regardless of the nature of their contributions and expenditures during the 12 Day Pre-General reporting period.

As they correctly point out, the March 9, 2007 RTB letter referenced the pre-election filing requirement for quarterly, not monthly, filers, which is why the second RTB letter was sent to them on April 2, 2007.

The 2006 12 Day Pre-General Report was filed on November 21, 2006, 26 days late, and is considered not filed for purposes of the civil money penalty calculation.¹ 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 Reviewing Officer, therefore, recommends that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$1,750 civil money penalty.

¹ The level of activity used to calculate the RTB civil money penalty is based on the total receipts and total disbursements disclosed on the amended 12 Day Pre-General Report filed on December 6, 2006.

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OAR Recommendations

- (1) Make a final determination in AF #1597 that the Team America Political Action Committee Inc. and Sharon Korchnak, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,750; and
- (2) Send the appropriate letter.

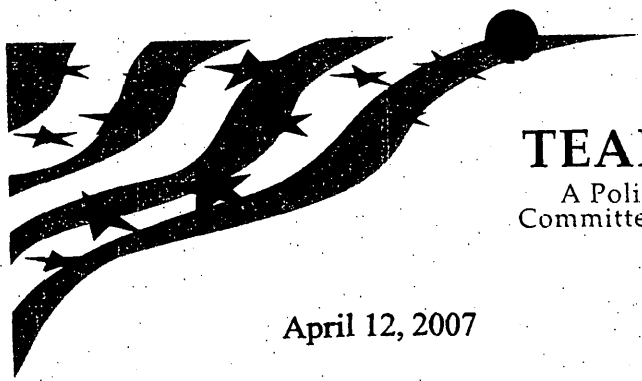
Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 –

Attachment 3 – RAD Declaration

Attachment 4 – OAR Declaration



FEC OFFICE OF
ADMIN REVIEW

2007 APR 16 P 3:42

TEAM AMERICA

A Political Action Committee
Committed to Securing our Borders

Attachment # 1
2 Pages

April 12, 2007

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

C00396291
AF#: 1597

Bay Buchanan
Chairman

To Whom It May Concern:

*"The defense
of a nation
begins at
its borders."*

In response to your March 9 letter cited above, and as revised on April 2, 2007, Team America submits the following:

*Congressman
Tom Tancredo*

At the time of preparation for our October filing, I searched for information on the requirements of the 12-Day Pre-General Report of Receipts and Disbursements. The information I found at that time stated that "This report is required if your committee makes a contribution to or expenditure on behalf of a candidate in the general election." Because we did not make such an expenditure or contribution, we concluded that no Pre-General Report would be required. Given that we filed our October filing on time (shortly before the 20th of October), we were in a perfect position to file the Pre-General had we believed we needed to do so.

Even though we felt that statement exempted us from this report, I specifically made a phone call to our analyst and told him of our presumption. He agreed that we did not need to file a Pre-General Report, as long as we had not made a contribution to or expenditure on behalf of a candidate in the general election. Had that not been the case, that would certainly have been the right time to correct this notion. That did not happen.

Instead, we received somewhat later an alert that we had not filed this report as we were required to do. We filed it immediately at that point.

The correct requirement was, at that point, brought to our attention and, in hindsight, we realized our error. However, a simple comment or question by our FEC analyst would have prompted us to file the report, which we would have then done in a timely fashion.

Certainly we are responsible for our own reports. We simply felt, and still feel, that we should be able to ask questions or advice of our analyst and expect to be able to depend on the answer, based on his much stronger knowledge base.

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Page 2
Federal Election Campaign

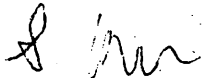
The Federal Election Commission still, is vague in the explanation, as evidenced by the fact that even your letter to us of March 9 had to be revised on April 2 to correct the statement which read "This report is required if your committee makes a contribution to or expenditure on behalf of a candidate in the general election." Only in the April 2 letter is there a mention of "committees filing on a *monthly* reporting schedule file a 12 Day Pre-General Report."

As stated earlier, yes, we did have a responsibility to file the report, and we did so as soon as we discovered our error. A simple reminder *when the phone request was made specifically for the purpose of "doing it right"* would have avoided this situation.

Our analysts have been very helpful in the past, as they have been since then; we certainly don't believe there was any intention to either mislead or fail to help us. We simply feel that there should be a level of certainty once a request for assistance is made, and in this case that was missing and we acted on erroneous information.

We respectfully await your decision in this matter.

Sincerely,



Sharon Korchnak
Treasurer

20092614271

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 12 Day Pre-General Report is due October 26, 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 26 to be timely filed.
3. It is the practice of the Party/Non-Party Branch in the Commission's Reports Analysis Division to document all calls to or from committees regarding a letter or mailgram they received or any questions relating to the administrative fine regulations including due dates of reports and filing requirements.
4. It is the practice of the Commission to maintain the Commission's web site (at http://www.fec.gov/info/report_dates.shtml) for the use of committees and treasurers to view information about and access articles on due dates of reports.
5. I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of:
 - a) Page 1 of the Summary Page for the 2004 August Monthly and 12 Day Pre-General Reports filed electronically by Team America Political Action Committee Inc. and Sharon Korchnak, as Treasurer. According to Commission records, the reports were received August 20 and October 29, 2004, respectively;
 - b) the Summary Page for the 2006 12 Day Pre-General Report filed electronically by Team America Political Action Committee Inc. and Sharon Korchnak, as Treasurer. According to Commission records, the report was received November 21, 2006, covers the period from October 1 through October 18, and lists \$13,417.81 on Line 6(c) for total receipts and \$0.00 on Line 7 for total disbursements for this reporting period;
 - c) the Summary Page for the Amended 2006 12 Day Pre-General Report filed electronically by Team America Political Action Committee Inc. and Sharon Korchnak, as Treasurer. According to Commission records, the report was received December 6, 2006, covers the period from October 1 through October 18, and lists \$14,437.81 on Line 6(c) for total receipts and \$18,324.97 on Line 7 for total disbursements for this reporting period; and
 - d) an electronic submission filed by Team America Political Action Committee Inc. and Sharon Korchnak, as Treasurer. According to Commission records, the submission was received December 7, 2006 and states that "[w]e have filed the Report, and apologize for lateness, although, as I mentioned, I had specifically called regarding this situation, and our discussions had led me to believe other requirements."
6. 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 1st of August, 2007.



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

28092614272

**FEC
FORM 3X**

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

Office Use Only

1. NAME OF COMMITTEE (In full)

USE FEC MAILING LABEL OR TYPE OR PRINT

Example: If typing, type over the lines

Team America PAC

ADDRESS (number and street)

501 Church Street #217

Check if different than previously reported. (ACC)

Vienna

VA

22180

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

C00096291

3. IS THIS REPORT

X

NEW (N) OR

AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

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

(b) Monthly Report Due On:

Feb 20 (M2)

May 20 (M5)

X

Aug 20 (M8)

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

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

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

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

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

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the State of

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

General (30G)

Runoff (30R)

Special (30S)

Election on

in the State of

5. Covering Period

07

01

2004

through

07

31

2004

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

Sharon Korchnak

Signature of Treasurer

Electronically Filed by Sharon Korchnak

Date

08

20

2004

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

Office Use Only

FEC FORM 3X
(Rev. 02/2003)

28092614273

**FEC
FORM 3X**

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

Office Use Only

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

Team America PAC

ADDRESS (number and street)

501 Church Street #217

Check if different than previously reported. (ACC)

Vienna

VA

22180

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE

C00096291

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

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

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

(b) Monthly Report Due On:	Feb 20 (M2)	May 20 (M5)	Aug 20 (M8)	Nov 20 (M11) (Non-Election Year Only)
	Mar 20 (M3)	Jun 20 (M6)	Sep 20 (M9)	Dec 20 (M12) (Non-Election Year Only)
	Apr 20 (M4)	Jul 20 (M7)	Oct 20 (M10)	Jan 31 (YE)
(c) 12-Day PRE-Election Report for the:	Primary (12P)	<input checked="" type="checkbox"/>	General (12G)	Runoff (12R)
	Convention (12C)		Special (12G)	
Election on	11	02	2004	in the State of VA
(d) 30-Day Post-Election Report for the:	General (30G)		Runoff (30R)	Special (30S)
Election on				in the State of

5. Covering Period 10 01 2004 through 10 13 2004

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 Sharon Korchnak

Signature of Treasurer Electronically Filed by Sharon Korchnak Date 10 29 2004

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

Office Use Only

FEC FORM 3X
(Rev. 02/2003)

28092614274

**SUMMARY PAGE
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name
Team America PAC

Report Covering the Period: From: 10 01 2006 To: 10 18 2006

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1 2006		7424.48
(b) Cash on Hand at Beginning of Reporting Period	7828.40	
(c) Total Receipts (from Line 19)	13417.81	363706.79
(d) Subtotal (add lines 6(b) and 6(c) for Column A and Lines 6(b) and 6(c) for Column B)	21246.21	371131.27
7. Total Disbursements (from Line 31)	D.00	349885.06
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	21246.21	21246.21
9. Debts and Obligations owed TO the committee (itemize all on Schedule C and/or Schedule D)	D.00	
10. Debts and Obligations owed BY the committee (itemize all on Schedule C and/or Schedule D)	43300.19	

This Committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

28092614276

**FEC
FORM 3X**

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

Office Use Only

1. NAME OF COMMITTEE (in full)

USE FEC MAILING LABEL OR TYPE OR PRINT

Example: If typing, type over the lines

Team America PAC

ADDRESS (number and street)

501 Church Street #217

Check if different than previously reported. (ACC)

Vienna

VA

22180

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

C00096291

3. IS THIS REPORT

NEW (N)

OR

X

AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Quarterly Report (YE)

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

Termination Report (TER)

(b) Monthly Report Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

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

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

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

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

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

Primary (12P)

X

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

11

07

2006

in the State of

VA

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

General (30G)

Runoff (30R)

Special (30S)

Election on

in the State of

5. Covering Period

10

01

2006

through

10

18

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

Sharon Korchnak

Signature of Treasurer

Electronically Filed by Sharon Korchnak

Date

12

06

2006

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

Office Use Only

FEC FORM 3X
(Rev. 02/2003)

28092614277

SUMMARY PAGE

OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name
Team America PAC

Report Covering the Period: From: 10 01 2006 To: 10 18 2006

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1 2006		7424.48
(b) Cash on Hand at Beginning of Reporting Period	7828.40	
(c) Total Receipts (from Line 19)	14437.81	364736.79
(d) Subtotal (add lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	22266.21	372161.27
7. Total Disbursements (from Line 31)	18324.97	368210.03
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	3941.24	3951.24
9. Debts and Obligations owed TO the committee (itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations owed BY the committee (itemize all on Schedule C and/or Schedule D)	43300.19	

X This Committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

28092614278

ETEXT ATTACHMENT

12/07/2006 03 : 59

December 7, 2006

Mr. Michael H. Hartsock
Campaign Finance Analyst

and

John D. Gibson
Assistant Staff Director

Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Identification Number: C00396291

Reference: (1) October Monthly Report (9/01/06 - 9/30/06)
(2) 12-Day Pre-General Report 10/1/2006 - 10/18/2006

Dear Mr. Hartsock:

In response to the above referenced letters, we have attempted to satisfy your requirements with the following:

- (1) We have made the adjustments to the earmarked contributions as you requested;
- (2) We have filed the 12 Day Pre-General Report, and apologize for lateness, although, as i mentioned, I had specifically called regarding this situation, and our discussions had led me to believe other requirements.

I hope we have met your requirements; if not, please let me know.

Sincerely,

Sharon Korchnak
Treasurer
Team America Political Action Committee

28092614279



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

August 2, 2007

Sharon Korchnak, as Treasurer
Team America Political Action Committee Inc.
501 Church Street #217
Vienna, Virginia 22180

C00396291
AF# 1597


Dear Ms. Korchnak:

On March 7, 2007, the Federal Election Commission ("Commission") found reason to believe ("RTB") that the Team America Political Action Committee Inc. and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2006 12 Day Pre-General Report. The Commission also made a preliminary determination that the civil money penalty was \$1,500 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,

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

Attachment

28092614280



TEAM AMERICA

A Political Action Committee
Committed to Securing our Borders

VIA FACSIMILE & OVERNIGHT DELIVERY

(202) 208-3333

August 23, 2007

Commission Secretary
Federal Election Commission
999 E Street, NW
Washington, DC 20004

Bay Buchanan
Chairman

Identification Number: C00396291
AF #1597

*"The defense
of a nation
begins at
its borders."*

*Congressman
Tom Tancredo*

Dear Mr. Secretary:

We received on August 17 (Friday) the letter written by Shawn Woodhead Werth, Reviewing Officer, Office of Administrative Review, concerning the above referenced matter; because of delivery problems (Team America has no full-time staff, and no one was available to receive a package) the package had to be resent (the ship date from FEC was August 16, 2007), and therefore the date on which you requested an answer (10 days after the original letter, or August 12) had passed 5 days before receipt.

We offer no additional arguments as we feel we honestly and thoroughly made our case within our last correspondence with you.

We make no exception to your recommendations and await your final instructions regarding this matter.

Sincerely,

Sharon Korchnak
Treasurer

26092614281



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 AUG 28 A 11: 37

August 28, 2007

SENSITIVE

MEMORANDUM

To: The Commission

Through: Patrina M. Clark *MLC*
Staff Director

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

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

Subject: Final Determination Recommendation in AF# 1597 – Team America Political Action Committee Inc. and Sharon Korchnak, as Treasurer (C00396291)

On March 7, 2007, the Commission found reason to believe that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2006 12 Day Pre-General Report, an election sensitive report, and made a preliminary determination that the civil money penalty was \$1,750 based on the schedule of penalties at 11 C.F.R. § 111.43.

On April 16, 2007, the Commission received the respondents' written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated August 1, 2007 was forwarded to the Commission. A copy was simultaneously forwarded to them at their address of record but it was returned to the Commission. Another copy was forwarded to them on August 16, 2007. 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, that the civil money penalty was miscalculated or that extraordinary circumstances existed which prevented them from filing the report on time.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in the respondents' challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission received their written response via facsimile on August 24, 2007 which is attached for your review.

28092614282

OAR Recommendations

- (1) Make a final determination in AF# 1597 that the Team America Political Action Committee Inc. and Sharon Korchnak, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,750; and
- (2) Send the appropriate letter.

Attachment

20092614283



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Tuesday, August 28, 2007 4:00

BALLOT DEADLINE: Friday, August 31, 2007 4:00

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

SUBJECT: **Final Determination Recommendation in
AF 1597 – Team America Political Action Committee
Inc. and Sharon Korchnak, as Treasurer
Memorandum from the Chief Compliance Officer
and the Reviewing Officer dated August 28, 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

28092614284

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 1597
Team America Political Action)
Committee Inc. and Sharon Korchnak, as)
Treasurer (C00396291))

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on August 31, 2007, the Commission decided by a vote of 5-0 to take the following actions in AF 1597:

1. Make a final determination in AF 1597 that Team America Political Action Committee Inc. and Sharon Korchnak, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money of \$1,750.
2. Send the appropriate letter.

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

Attest:

August 31, 2007
Date

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

28092614285



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 5, 2007

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sharon Korchnak, as Treasurer
Team America Political Action Committee Inc.
501 Church Street NE Suite 217
Falls Church, Virginia 22180

ID# C00396291
AF# 1597

Dear Ms. Korchnak:

On March 7, 2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Team America Political Action Committee Inc. and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2006 12 Day Pre-General Report. By letters dated March 9 and April 2, 2007, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$1,750 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On April 16, 2007, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that the Team America Political Action Committee Inc. and you, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$1,750 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, copies of which were sent to you on August 2, 2007 at the address of record and on August 16, 2007 to the same street address but in care of you at Suite 212. The Commission Secretary received your response on August 24 and a copy was forwarded to the Commission.

On August 31, 2007, the Commission adopted the Reviewing Officer's recommendation and made a final determination that the Team America Political Action Committee Inc. and you, as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$1,750. It is based on the same factors used to calculate the civil money penalty at RTB.

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.

28092614286

If You Do Not Pay the Civil Money Penalty

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

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

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

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

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

Sincerely,



Robert D. Lenhard
Chairman

28092614287

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$1,750 for the 2006 12 Day Pre-General Report.

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

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

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

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

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

PAYMENTS BY PERSONAL CHECK

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Team America Political Action Committee Inc.

FEC ID#: C00396291

AF#: 1597

PAYMENT AMOUNT DUE: \$1,750

28092614288

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Team America Political Action Committee Inc.

FEC ID#: C00396291

AF#: 1597

PAYMENT AMOUNT DUE: \$1,750

2007 OCT 15 AM 8:49

RECEIVED
FEC MAIL CENTER

3

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 003 \$ 0000175000 BA# 1 10-12-07 20 4



Security enhanced document. See back for details.

TEAM AMERICA 04/04 1011

PAY TO THE ORDER OF Federal Election Commission \$ 1750⁰⁰

One Thousand Seven Hundred Fifty DOLLARS

DATE 10/12/07

BB&T
BRANCH BANKING AND TRUST COMPANY
VIENNA, VIRGINIA

FOR FEC ID# C 00396291

Ray [Signature]

20092614289



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1597

DATE SCANNED 1/14/08

SCANNER NO. 2

SCAN OPERATOR SES

26092614290