



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1628

DATE SCANNED 9-25-07

SCANNER NO. 2

SCAN OPERATOR JmW

27092604935



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

COMMISSION  
SECRETARIAT

2007 APR -5 A 9:36

April 4, 2007

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK  
STAFF DIRECTOR *PMC*

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 (QUARTERLY FILERS) AND 30 DAY POST-  
GENERAL REPORT FOR THE ADMINISTRATIVE FINE  
PROGRAM

Attached are two lists of political committees and their treasurers who failed to file or timely file the 2006 12 Day Pre-General and/or the 2004 30 Day Post-General Reports in accordance with 2 U.S.C. 434(a). The 12 Day Pre-General list is comprised of unauthorized committees filing quarterly that made general election contributions or expenditures from October 1, 2006 through October 18, 2006. The 30 Day Post-General list is comprised of authorized committees whose candidates sought election in the November 7<sup>th</sup> General Election, as well as unauthorized committees filing either quarterly or monthly.

The 12 Day Pre-General Report was due on October 26, 2006 and should cover the reporting period from October 1, 2006 through October 18, 2006. The 30 Day Post-General Report was due on December 7, 2006 and should cover the reporting period from October 19, 2006 to November 27, 2006 or from October 1, 2006 through November 27, 2006, if the 12 Day Pre-General Report was not required.

The committees appearing on the 12 Day Pre-General Report list either filed late or failed to file the report prior to four (4) days before the General Election (considered a non-filed report). The committees appearing on the 30 Day Post-General Report list either failed to file the report, filed the report more than five (5) days after the due date or

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filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with 11 C.F.R. 111.43, these committees should be assessed the civil money penalties included on the attached lists.

As noted above, the 12 Day Pre-General Report circulation list includes unauthorized committees filing quarterly that failed to file or failed to timely file the 12 Day Pre-General Report. Unlike unauthorized committees that file on a monthly basis, a quarterly filer need only file this report if it made general election contributions or expenditures between the dates of October 1, 2006 and October 18, 2006. In order to accurately identify the committees for administrative fines purposes, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 12 Day Pre-General Report (12 Day Report) submitted by an unauthorized quarterly filer was reviewed to ensure that it disclosed general election contributions or expenditures made during the coverage dates of the report. Any report meeting this definition that was filed late is included in the list. Any report not disclosing general election contributions or expenditures during this period is not included in the list, as it is not a required filing.
- Every 30 Day Post-General Report (30 Day Report) submitted by an unauthorized quarterly filer that covered the period from October 1, 2006 through November 27, 2006 (58 days), was reviewed for activity which would have required the filing of a 12 Day Pre-General Report. If our research indicated that the filing of a 12 Day Report was required, we utilized a two-step method to arrive at the estimated level of activity on which to base the fine amount. First, if the committee had any unitemized activity, a per diem level of activity was used by multiplying the total amount of activity on the report by 31% (18 days (12G Filing Period)/58 days (30G Filing Period)).
- If the same committee also failed to file the 30 Day Report in a timely manner, we based the 30 Day Report fine on the amount of the remaining level of activity. We arrived at this amount by subtracting the estimated level of activity for the 12 Day Report from the total amount of activity on the 30 Day Report. In these cases, the committees will appear on both lists and will be assessed a fine for both the 12 Day and 30 Day Reports based on the estimated levels of activity described above.

### **Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Reports 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 Reports.
2. Send the appropriate letters.

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

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1604	C00169508	AAI CORPORATION POLITICAL ACTION COMMITTEE	RICHARD F. CHRIST	\$196,951	1	11/5/2006	Not Filed	\$7,500	\$750
1605	C00366385	ADVANCED ACOUSTIC CONCEPTS INC POLITICAL ACTION COMMITTEE	SCOTT WILLIAMS	\$203,094	0	12/8/2006	Not Filed	\$3,599	\$500
1606	C00340356	ADVANCED MEDICAL TECHNOLOGY ASSOCIATION POLITICAL ACTION COMMITTEE	KENNETH MENDEZ	\$413,835	0	11/2/2006	7	\$2,000	\$120
1607	C00141242	AGRI-MARK INC LEGISLATIVE AND EDUCATIONAL COMMITTEE (ALEC)	HAROLD LARRABEE	\$106,244	1	12/15/2006	Not Filed	\$2,000	\$625
1608	C00325159	AIRTRAN AIRWAYS INC POLITICAL ACTION COMMITTEE	STANLEY GADEK	\$143,814	0	1/15/2007	Not Filed	\$7,129	\$600
1609	C00352054	ARMENIAN AMERICAN PAC (ARMENPAC)	DR SARKIS KECHEJIAN	\$281,080	0	12/3/2006	Not Filed	\$5,577	\$600
1610	C00363382	AVAYA INCORPORATED POLITICAL ACTION COMMITTEE	CHARLES E. CROWDERS	\$143,681	0	12/8/2006	Not Filed	\$3,350	\$500
1611	C00204388	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)	IRA LAMEL	\$189,003	2	11/2/2006	7	\$6,000	\$255
1612	C00078287	CNA FINANCIAL CORPORATION CITIZENS FOR GOOD GOVERNMENT	KAREN MELCHERT	\$345,872	0	12/12/2006	Not Filed	\$26,149	\$1,400

A#	Committee ID	Committee Name	Treasurer	Threshold	FY	Receipt Date	Days Late	LOA	RTB Penalty
1613	C00304832	CONSTELLATION BRANDS INC POLITICAL ACTION COMMITTEE	PERRY HUMPHREY	\$372,102	1	11/6/2006	Not Filed	\$7,554	\$750
1614	C00303818	COUNCIL FOR AFFORDABLE AND RURAL HOUSING PAC INC (CARH PAC)	TRAVIS A. MILLER	\$100,735	0	12/29/2006	Not Filed	\$1,457	\$500
1615	C00160630	DRUMMOND COMPANY, INC POLITICAL ACTION COMMITTEE (DPAC)	MR. SCOTT O STANFIELD	\$128,650	0	11/1/2006	6	\$8,500	\$160
1616	C00135855	ENERGEN CORPORATION POLITICAL ACTION COMMITTEE F/K/A ALAGASCO INC PAC	MR. DUDLEY REYNOLDS	\$171,512	0	11/8/2006	Not Filed	\$13,000	\$900
1618	C00400242	FLORIDA FOR AMERICAS FUTURE PAC	HUGH WESTBROOK	\$112,600	0	12/6/2006	Not Filed	\$24,200	\$900
1619	C00349639	FLORIDA PBA INC FRIENDS OF LAW ENFORCEMENT	DAVID BRUCE MURRELL	\$112,445	0	12/7/2006	Not Filed	\$10,161	\$900
1620	C00012328	FLORIDA SUGAR CANE LEAGUE PAC	RYAN WESTON	\$385,029	0	12/6/2006	Not Filed	\$1,000	\$500
1621	C00242040	FOREST LANDOWNERS ASSOCIATION, INC. POLITICAL ACTION COMMITTEE	SCOTT JONES	\$145,222	0	12/21/2006	Not Filed	\$2,852	\$500
1622	C00297531	GOVERNMENT IS NOT GOD	NANCY M. MURRAY	\$133,277	0	11/8/2006	Not Filed	\$10,769	\$900
1623	C00338848	HOOSIER POLITICAL ACTION COMMITTEE (HOOSIER PAC)	GILEAD KAPEN	\$516,237	1	11/30/2006	Not Filed	\$37,000	\$1,750
1624	C00303073	INTERNATIONAL COUNCIL OF CRUISE LINES POLITICAL ACTION COMM (ICCL-PAC)	J. MICHAEL CRYE	\$317,704	0	12/7/2006	Not Filed	\$6,000	\$600

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LVA	KID	Priority
1625	C00212142	KIRKLAND	STEPHEN TOMENSON	\$208,482	0	12/5/2006	Not Filed	\$1,333	\$500	
1626	C00284810	MARRIOTT INTERNATIONAL, INC. POLITICAL ACTION COMMITTEE	MS. MELISSA FROELICH	\$303,418	0	12/6/2007	Not Filed	\$31,748	\$1,400	
1627	C00413575	MWW GROUP INC POLITICAL ACTION COMMITTEE THE	SETH ROSENSTEIN	\$115,565	0	11/22/2006	Not Filed	\$5,305	\$600	
1628	C00296657	OHIO FINANCIAL SERVICES POLITICAL ACTION COMMITTEE	MR. JOSEPH R. SANDER	\$127,643	0	11/6/2006	Not Filed	\$9,773	\$600	
1629	C00383489	PUBLIC SERVICE ENTERPRISE GROUP INC. POLITICAL ACTION COMMITTEE (PEGRAC)	MR. MARK G. KAHRER	\$217,457	0	11/21/2006	Not Filed	\$13,068	\$900	
1630	C00363812	RECREATIONAL FISHING ALLIANCE, PAC	SCHNELLER A. STACEY	\$156,919	0	12/8/2006	Not Filed	\$13,184	\$900	
1631	C00407130	REHAB CARE GROUP INC PAC	MARK ANTHONY BOGOVICH	\$129,589	0	12/7/2006	Not Filed	\$3,567	\$500	
1632	C00345132	REPUBLICAN JEWISH COALITION-POLITICAL ACTION COMMITTEE (RJC-PAC)	MATTHEW BROOKS	\$304,333	0	12/8/2006	Not Filed	\$32,000	\$1,400	
1633	C00368696	RESPONSIBILITY AND FREEDOM WORK PAC (REWPAC)	JOHN P. NAIL	\$105,727	0	1/12/2007	Not Filed	\$4,115	\$500	
1635	C00402669	SI INTERNATIONAL INC POLITICAL ACTION COMMITTEE	THOMAS DUNN	\$183,625	0	12/4/2006	Not Filed	\$6,370	\$600	
1636	C00392621	SNOW PAC	STANLEY R. DE WAAL	\$534,667	0	12/8/2006	Not Filed	\$33,367	\$1,400	

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1637	C00381459	SOCIETY FOR VASCULAR SURGERY-POLITICAL ACTION COMMITTEE	REBECCA MARON	\$169,667	0	1/130/2006	Not Filed	\$2,361	\$500
1638	C00359984	SOUTHEAST MILK INC POLITICAL ACTION COMMITTEE	CHARLES GARRISON	\$101,623	0	12/7/2006	Not Filed	\$7,000	\$600
1639	C00417576	TERRIPAC	BRIAN SCHIAVO	\$115,452	1	11/1/2006	6	\$3,615	\$137
1640	C00173419	UNITED ASSN JOURNEYMEN & APPRENT OF PLUMB & PIPEFITTING IND LOCAL 322 COMM FOR POL ED	JAMES REED	\$1,103,402	0	11/1/2006	6	\$24,696	\$210
1641	C00390575	WELLCARE HEALTH PLANS, INC. PAC (WELLCARE PAC)	DAVID K SMITH	\$150,163	0	12/5/2006	Not Filed	\$17,500	\$900

AFN	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1642	C00325159	AIRTRAN AIRWAYS INC POLITICAL ACTION COMMITTEE		STANLEY GADEK	\$148,703	0	1/15/2007	Not Filed	\$4,889	\$250
1643	C00396028	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	WILLIAM LEAMSON	\$747,829	3	1/7/2007	Not Filed	\$148,867	\$7,875
1644	C00416404	ARCH LEADERSHIP PAC		JOHN ROSS TRUMAN	\$133,843	0		Not Filed	\$48,281 (est)	\$900
1645	C00427617	BLUE AMERICA PAC		HOWARD KLEIN	\$140,155	0	1/23/2007	Not Filed	\$58,689	\$2,700
1646	C00174847	BREWERY SOFT DRINK BEER DISTR OPTICAL DENTAL MISC WORKERS WAREHOUSEMAN HELP LOCAL 830 PAC		DANIEL H. GRACE	\$360,351	1	1/5/2007	29	\$40,003	\$975
1647	C00423335	BYRNE FOR CONGRESS COMMITTEE THE	BYRNE, MARK	ILLI, K. HUEY	\$143,413	0	3/14/2007	Not Filed	\$36,327	\$900
1649	C00421693	CHRISTIAN BURRIDGE FOR CONGRESS	BURRIDGE, CHRISTIAN	DANIEL CLYDE GARR	\$130,908	0	2/2/2007	Not Filed	\$28,919	\$900
1650	C00415604	CITIZENS FOR ACTION		NANCY T. KANJORSKI	\$305,153	0	1/10/2007	Not Filed	\$40,281	\$900
1651	C00062224	CLOROX COMPANY EMPLOYEES' POLITICAL ACTION COMMITTEE THE		VICTORIA JONES	\$142,106	0	1/9/2007	Not Filed	\$4,438	\$250
1653	C00426783	COMMITTEE TO ELECT RICK TRENT, THE	TRENT, RICKY LYNN	LISA JO TRENT	\$157,095	0	12/13/2006	6	\$26,805	\$320
1654	C00394692	COMMITTEE TO ELECT WILLIAM (WILLIE) VADEN FOR CONGRESS	VADEN, WILLIAM ROSS	WILLIAM ROSS VADEN	\$244,212	1		Not Filed	\$27,135	\$1,125
1655	C00125534	COMPOSITION ROOFERS LOCAL UNION #30 POLITICAL ACTION & EDUCATION FUND		TOM PEDRICK	\$433,371	0	1/2/2007	26	\$62,963	\$2,250

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1656	C00111237	COMPRESSED AIR FREE AIR FOUNDATION TUNNEL CAISSON SUBWAY WORKERS POLITICAL ACTION FUND		RICHARD E. FITZSIMMONS	\$133,149	0	1/11/2007	Not Filed	\$28,574	\$900
1657	C00379834	CONTRA COSTA UNITED DEMOCRATIC CAMPAIGN AKA CCUDC		GREGORY E. SANBORN	\$139,379	1	2/28/2007	Not Filed	\$24,368	\$625
1658	C00387555	COUNCIL FOR A LIVABLE WORLD CANDIDATE FUND		JOHN D. ISAACS	\$516,010	0	12/13/2006	6	\$76,052	\$1,000
1659	C00303818	COUNCIL FOR AFFORDABLE AND RURAL HOUSING PAC INC (CARHPAC)		TRAVIS MILLER	\$103,976	0	12/29/2006	22	\$3,243	\$135
1660	C00369801	DAVID SCOTT FOR CONGRESS	SCOTT, DAVID ALBERT	HANK AARON	\$2,595,854	0	12/16/2006	9	\$435,592	\$3,800
1661	C00242040	FOREST LANDOWNERS ASSOCIATION, INC., POLITICAL ACTION COMMITTEE		SCOTT JONES	\$151,570	0	12/21/2006	14	\$6,348	\$120

1665	C00265603	KERN COUNTY REPUBLICAN CENTRAL COMMITTEE		CRAIG HENDERSON	\$590,830	1	12/18/2006	11	\$14,708	\$193
1666	C00428615	LAKE COUNTY DEMOCRATIC PARTY FEDERAL COMMITTEE		PETER A. COUVALL	\$585,876	0	1/4/2007	28	\$189,533	\$5,000
1668	C00003111	MAINE REPUBLICAN PARTY		PHILIP ROY, JR.	\$961,378	0	12/20/2006	13	\$26,507	\$460

1670	C00424077	MIKE MCGRAW FOR CONGRESS	MCGRAW, MICHAEL EDWARD	A ROBERT MUZIO	\$131,898	0	1/29/2007	Not Filed	\$28,452	\$900
1671	C00174854	MONTANA CREDIT UNIONS LEAGUE POLITICAL ACTION COMMITTEE		JERRY W. GUSTAFSON	\$184,776	0	1/29/2007	Not Filed	\$6,396	\$300

1674	C.00188087	NATIONAL ASSOCIATION FOR HOME CARE POLITICAL ACTION COMMITTEE	MICHAELE N. WOODS	\$137,626	2	1/11/2007	Not Filed	\$1,357	\$375
1675	C.00012211	NORTH CAROLINA DENTAL PAC	AARON TROPMANN	\$124,000	0	1/6/2007	30	\$240	\$175
1676	C.00416511	PENNSYLVANIA PAC FOR PROGRESS	JONATHAN ROBERT KING	\$149,370	0		Not Filed	\$37,679 (est)	\$900
1677	C.00266536	PHILLIPS INTERNATIONAL INC POLITICAL ACTION COMMITTEE	MR. WILLIAM ESTEY	\$231,502	0		Not Filed	\$46,300 (est)	\$900

1679	C.00368596	RESPONSIBILITY AND FREEDOM WORK PAC (RFWPAC)	JOHN P. NAIL	\$141,142	0	1/16/2007	Not Filed	\$35,415	\$900
1680	C.00400359	SAN MATEO COUNTY DEMOCRATIC CENTRAL COMMITTEE	JUDITH A. CHRISTENSEN	\$160,523	0		Not Filed	\$12,832 (est)	\$500
1681	C.00278788	SUFF CO DETECTIVES ASSN INC POLITICAL ACTION COMMITTEE	RAYMOND L. GRIFFIN JR	\$150,036	0	1/12/2007	Not Filed	\$21,496	\$500

1683	C.00178541	TEAMSTERS JOINT COUNCIL 53 POLITICAL ACTION COMMITTEE	PAUL CARDULLO	\$288,780	0	1/12/2007	Not Filed	\$50,002	\$2,700
1684	C.00009357	THE RECORDING INDUSTRY ASSOCIATION OF AMERICA POLITICAL ACTION COMMITTEE	MITCH GLAZIER	\$323,689	0	12/14/2006	7	\$12,000	\$135
1685	C.00414417	TOM BARLOW FOR CONGRESS '06	SHIRLEY J. BARLOW	\$240,749	0	12/14/2006	7	\$86,118	\$1,100

1687	C.00173419	UNITED ASSN JOURNEYMEN & APPRENT OF PLUMB & PIPEFITTING-IND-LOCAL 322 COMM FOR POLED	JAMES REED	\$1,178,532	0	12/29/2006	22	\$75,121	\$2,600
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AFW Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1698	C00063586 UNITED STATES BEET SUGAR ASSOCIATION POLITICAL ACTION COMMITTEE		JAMES JOHNSON	\$154,516	0	1/25/2007	Not Filed	\$1,000	\$250
1690	C00421628 WEGNER FOR CONGRESS	WEGNER, KENNETH ALEXANDER	KENNETH WEGNER	\$192,120	1	3/28/2007	Not Filed	\$23,586	\$625
1691	C00419614 WILSON AURBACH FOR CONGRESS COMMITTEE	AURBACH, WILSON	JORDAN WAUDREY	\$147,275	0	1/23/2007	Not Filed	\$8,065	\$300
1693	C00421131 ZANZI FOR CONGRESS	ZANZI, ITALO ANDRES	RYAN ADRIAN MOREIN	\$656,819	1	12/18/2006	11	\$109,643	\$2,468



FEDERAL ELECTION COMMISSION

Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Thursday, April 5, 2007 11:00

BALLOT DEADLINE: Tuesday, April 10, 2007 4:00

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

SUBJECT: RTB Recommendation – 2006 12 Day Pre-General (Quarterly Filers) and 30 Day Post-General Report For The Administrative Fine Program. Memorandum from the Assistant Staff Director, Reports Analysis Division dated April 4, 2007.

( ) I approve the recommendation(s)

( ) I object to the recommendation(s)

( ) I approve the recommendations except those following to which I object (please insert AF#)

\_\_\_\_\_  
\_\_\_\_\_

( ) I approve the recommendations except those following in which I abstain (please insert AF#)

\_\_\_\_\_  
\_\_\_\_\_

( ) I approve the recommendations except those following in which I am recused (please insert AF#)

\_\_\_\_\_  
\_\_\_\_\_

( ) I am not voting on this tally.

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.

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

27092604946

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 12 )  
Day Pre-General (Quarterly Filers) and 30 )  
Day Post-General Report For The )  
Administrative Fine Program: )  
ADVANCED MEDICAL TECHNOLOGY ) AF# 1606  
ASSOCIATION POLITICAL ACTION )  
COMMITTEE, and Kenneth Mendez as )  
treasurer; )  
BI-COUNTY POLITICAL ACTION ) AF# 1611  
COMMITTEE (FKA SUFFOLK PAC), and )  
IRA LAMEL as treasurer; )  
DRUMMOND COMPANY INC. ) AF# 1615  
POLITICAL ACTION COMMITTEE )  
(DPAC), and Stanfield, Scott O. Mr. as )  
treasurer; )  
TERRIPAC, and BRIAN SCHIAVO as ) AF# 1639  
treasurer; )  
UNITED ASSN JOURNEYMEN & ) AF# 1640  
APPRENT OF PLUMB & PIPEFITTING )  
IND LOCAL 322 COMM FOR POL ED, )  
and JAMES REED as treasurer; )  
COUNCIL FOR AFFORDABLE AND ) AF# 1614  
RURAL HOUSING PAC INC (CARH )  
PAC), and TRAVIS A MILLER as )  
treasurer; )  
FLORIDA FOR AMERICAS FUTURE ) AF# 1618  
PAC, and HUGH WESTBROOK as )  
treasurer; )  
  
AAI CORPORATION POLITICAL ) AF# 1604  
ACTION COMMITTEE, and RICHARD F )  
CHRIST as treasurer; )  
ADVANCED ACOUSTIC CONCEPTS ) AF# 1605  
INC POLITICAL ACTION COMMITTEE, )  
and SCOTT WILLIAMS as treasurer; )

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Federal Election Commission  
Certification for Administrative Fines  
April 10, 2007

AGRI-MARK, INC LEGISLATIVE AND ) AF# 1607  
EDUCATIONAL COMMITTEE (ALEC), )  
and HAROLD LARRABEE as treasurer; )  
AIRTRAN AIRWAYS INC POLITICAL ) AF# 1608  
ACTION COMMITTEE, and Gadek, )  
Stanley as treasurer; )  
ARMENIAN AMERICAN PAC ) AF# 1609  
(ARMENPAC), and Kechejian, Sarkis Dr. )  
as treasurer; )  
AVAYA INCORPORATED POLITICAL ) AF# 1610  
ACTION COMMITTEE, and Crowders, )  
Charles E. as treasurer; )  
CNA FINANCIAL CORPORATION ) AF# 1612  
CITIZENS FOR GOOD GOVERNMENT, )  
and KAREN MELCHERT as treasurer; )  
CONSTELLATION BRANDS INC ) AF# 1613  
POLITICAL ACTION COMMITTEE, and )  
PERRY HUMPHREY as treasurer; )  
ENERGEN CORPORATION POLITICAL ) AF# 1616  
ACTION COMMITTEE F/K/A )  
ALAGASCO INC PAC, and DUDLEY C )  
REYNOLDS as treasurer; )

FLORIDA PBA INC FRIENDS OF LAW ) AF# 1619  
ENFORCEMENT, and DAVID BRUCE )  
MURRELL as treasurer; )  
FLORIDA SUGAR CANE LEAGUE PAC, ) AF# 1620  
and Ryan Weston as treasurer; )  
FOREST LANDOWNERS ) AF# 1621  
ASSOCIATION INC. POLITICAL )  
ACTION COMMITTEE, and Jones, Scott )  
as treasurer; )  
GOVERNMENT IS NOT GOD, and ) AF# 1622  
NANCY M MURRAY as treasurer; )  
HOOSIER POLITICAL ACTION ) AF# 1623  
COMMITTEE (HOOSIER PAC), and )  
GILEAD KAPEN as treasurer; )  
INTERNATIONAL COUNCIL OF ) AF# 1624  
CRUISE LINES POLITICAL ACTION )  
COMM (ICCL-PAC), and J MICHAEL )  
CRYE as treasurer; )  
KIRKLAND, and Tomlinson, Stephen as ) AF# 1625  
treasurer; )

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MARRIOTT INTERNATIONAL INC. AF# 1626  
POLITICAL ACTION COMMITTEE, and  
Froehlich, Melissa Ms. as treasurer;  
MWW GROUP INC POLITICAL ACTION ) AF# 1627  
COMMITTEE, THE, and SETH )  
ROSENSTEIN as treasurer; )  
OHIO FINANCIAL SERVICES ) AF# 1628  
POLITICAL ACTION COMMITTEE, and )  
Sander, Joseph R Mr. as treasurer; )  
PUBLIC SERVICE ENTERPRISE GROUP ) AF# 1629  
INC. POLITICAL ACTION COMMITTEE )  
(PEGPAC), and G, Mark Mr. Kahrer as )  
treasurer; )  
RECREATIONAL FISHING ALLIANCE ) AF# 1630  
PAC, and Stacey, Schneller A as treasurer; )  
REHABCARE GROUP INC PAC, and ) AF# 1631  
MARK ANTHONY BOGOVICH as )  
treasurer; )  
REPUBLICAN JEWISH COALITION- ) AF# 1632  
POLITICAL ACTION COMMITTEE )  
(RJC-PAC), and Brooks, Matthew as )  
treasurer; )  
RESPONSIBILITY AND FREEDOM ) AF# 1633  
WORK PAC (RFPAC), and JOHN P )  
NAIL as treasurer; )  
SI INTERNATIONAL INC POLITICAL ) AF# 1635  
ACTION COMMITTEE, and Thomas E. )  
Dunn as treasurer; )  
SNOW PAC, and Stanley R. de Waal as ) AF# 1636  
treasurer; )  
SOCIETY FOR VASCULAR SURGERY ) AF# 1637  
POLITICAL ACTION COMMITTEE, and )  
REBECCA MARON as treasurer; )  
SOUTHEAST MILK INC POLITICAL ) AF# 1638  
ACTION COMMITTEE, and CHARLES )  
GARRISON as treasurer; )  
WELLCARE HEALTH PLANS INC. PAC ) AF# 1641  
(WELLCARE PAC), and Smith, David K. )  
as treasurer; )

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CORRECTED CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on April 10, 2007 the Commission took the following actions on the Reason To Believe Recommendation - 12 Day Pre-General (Quarterly Filers) and 30 Day Post-General Report For The Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated April 04, 2007, on the following committees:

AF#1606 Decided by a vote of 4-0 to: (1) find reason to believe that ADVANCED MEDICAL TECHNOLOGY ASSOCIATION POLITICAL ACTION COMMITTEE, and Kenneth Mendez 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1611 Decided by a vote of 4-0 to: (1) find reason to believe that BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC), and IRA LAMEL 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1615 Decided by a vote of 4-0 to: (1) find reason to believe that DRUMMOND COMPANY INC. POLITICAL ACTION COMMITTEE (DPAC), and Stanfield, Scott O. 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1639 Decided by a vote of 4-0 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 letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1640 Decided by a vote of 4-0 to: (1) find reason to believe that UNITED ASSN JOURNEYMEN & APPRENT OF PLUMB & PIPEFITTING IND LOCAL 322 COMM FOR POL ED, and JAMES REED as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1614 Decided by a vote of 4-0 to: (1) find reason to believe that COUNCIL FOR AFFORDABLE AND RURAL HOUSING PAC INC (CARH PAC), and TRAVIS A MILLER 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1618 Decided by a vote of 4-0 to: (1) find reason to believe that FLORIDA FOR AMERICAS FUTURE PAC, and HUGH WESTBROOK 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1604 Decided by a vote of 4-0 to: (1) find reason to believe that AAI CORPORATION POLITICAL ACTION COMMITTEE, and RICHARD F CHRIST 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1605 Decided by a vote of 4-0 to: (1) find reason to believe that ADVANCED ACOUSTIC CONCEPTS INC POLITICAL ACTION COMMITTEE, and SCOTT WILLIAMS 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1607 Decided by a vote of 4-0 to: (1) find reason to believe that AGRI-MARK, 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 letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

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AF#1608 Decided by a vote of 4-0 to: (1) find reason to believe that AIRTRAN AIRWAYS INC POLITICAL ACTION COMMITTEE, and Gadek, Stanley 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1609 Decided by a vote of 4-0 to: (1) find reason to believe that ARMENIAN AMERICAN PAC (ARMENPAC), and Kechejian, Sarkis Dr. 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1610 Decided by a vote of 4-0 to: (1) find reason to believe that AVAYA INCORPORATED POLITICAL ACTION COMMITTEE, and Crowders, Charles E. 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1612 Decided by a vote of 4-0 to: (1) find reason to believe that CNA FINANCIAL CORPORATION CITIZENS FOR GOOD GOVERNMENT, and KAREN MELCHERT 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1613 Decided by a vote of 4-0 to: (1) find reason to believe that CONSTELLATION BRANDS INC POLITICAL ACTION COMMITTEE, and PERRY HUMPHREY 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1616 Decided by a vote of 4-0 to: (1) find reason to believe that ENERGEN CORPORATION POLITICAL ACTION COMMITTEE F/K/A ALAGASCO INC PAC, and DUDLEY C REYNOLDS 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1619 Decided by a vote of 4-0 to: (1) find reason to believe that FLORIDA PBA INC FRIENDS OF LAW ENFORCEMENT, and DAVID BRUCE MURRELL 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1620 Decided by a vote of 4-0 to: (1) find reason to believe that FLORIDA SUGAR CANE LEAGUE PAC, and Ryan Weston 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1621 Decided by a vote of 4-0 to: (1) find reason to believe that FOREST LANDOWNERS ASSOCIATION INC. POLITICAL ACTION COMMITTEE, and Jones, Scott 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1622 Decided by a vote of 4-0 to: (1) find reason to believe that GOVERNMENT IS NOT GOD, and NANCY M MURRAY 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1623 Decided by a vote of 4-0 to: (1) find reason to believe that HOOSIER POLITICAL ACTION COMMITTEE (HOOSIER PAC), and GILEAD KAPEN 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1624 Decided by a vote of 4-0 to: (1) find reason to believe that INTERNATIONAL COUNCIL OF CRUISE LINES POLITICAL ACTION COMM (ICCL-PAC), and J MICHAEL CRYE as treasurer violated 2 U.S.C. 434(a) and make a

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preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1625 Decided by a vote of 4-0 to: (1) find reason to believe that KIRKLAND, and Tomlinson, Stephen 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1626 Decided by a vote of 4-0 to: (1) find reason to believe that MARRIOTT INTERNATIONAL INC. POLITICAL ACTION COMMITTEE, and Froehlich, Melissa Ms. 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1627 Decided by a vote of 4-0 to: (1) find reason to believe that MWW GROUP INC POLITICAL ACTION COMMITTEE, THE, and SETH ROSENSTEIN 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1628 Decided by a vote of 4-0 to: (1) find reason to believe that OHIO FINANCIAL SERVICES POLITICAL ACTION COMMITTEE, and Sander, Joseph R 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1629 Decided by a vote of 4-0 to: (1) find reason to believe that PUBLIC SERVICE ENTERPRISE GROUP INC. POLITICAL ACTION COMMITTEE (PEGPAC), and G, Mark Mr. Kahrer 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1630 Decided by a vote of 4-0 to: (1) find reason to believe that RECREATIONAL FISHING ALLIANCE PAC, and Stacey, Schneller A 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1631 Decided by a vote of 4-0 to: (1) find reason to believe that REHABCARE GROUP INC PAC, and MARK ANTHONY BOGOVICH 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1632 Decided by a vote of 4-0 to: (1) find reason to believe that REPUBLICAN JEWISH COALITION-POLITICAL ACTION COMMITTEE (RJC-PAC), and Brooks, Matthew 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1633 Decided by a vote of 4-0 to: (1) find reason to believe that RESPONSIBILITY AND FREEDOM WORK PAC (RFWPAC), and JOHN P NAIL 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1635 Decided by a vote of 4-0 to: (1) find reason to believe that SI INTERNATIONAL INC POLITICAL ACTION COMMITTEE, and Thomas E. Dunn as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1636 Decided by a vote of 4-0 to: (1) find reason to believe that SNOW PAC, and Stanley R. de Waal 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1637 Decided by a vote of 4-0 to: (1) find reason to believe that SOCIETY FOR VASCULAR SURGERY POLITICAL ACTION COMMITTEE, and REBECCA MARON 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

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AF#1638 Decided by a vote of 4-0 to: (1) find reason to believe that SOUTHEAST MILK INC POLITICAL ACTION COMMITTEE, and CHARLES GARRISON 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1641 Decided by a vote of 4-0 to: (1) find reason to believe that WELLCARE HEALTH PLANS INC. PAC (WELLCARE PAC), and Smith, David K. 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, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

Attest:

September 11, 2007  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 12, 2007

Mr. Joseph R. Sander  
Ohio Financial Services Political Action Committee  
One Financial Way, P.O. Box 237  
Cincinnati, OH 45242

C00296657  
AF#: 1628

Dear Mr. Joseph R. Sander:

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 10/18/2006, shall be filed no later than 10/26/2006, 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 11/7/2006. 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 4/10/2007, the FEC found that there is reason to believe ("RTB") that Ohio Financial Services Political Action Committee and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before 10/26/2006. Based on the FEC's schedules of civil money penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at the RTB stage is \$600. It is due by 5/20/2007 and is based on these factors:

Election Sensitivity of Report: Election Sensitive  
Level of Activity: \$9,773  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

**To Pay the Calculated Civil Money Penalty**

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

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

To challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found on page one, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received by 5/20/2007. 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,

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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 Ohio Financial Services Political Action Committee 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](http://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 \$600 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 5/20/2007. 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**

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FOR: Ohio Financial Services Political Action Committee

FEC ID#: C00296657

AF#: 1628

PAYMENT DUE DATE: 5/20/2007

PAYMENT AMOUNT DUE: \$600

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MAY 18 2007

One Financial Way  
Cincinnati, Ohio 45242

2007 MAY 18 A 10: 52



Ohio National  
Financial Services®

Post Office Box 237  
Cincinnati, Ohio 45201-0237  
Telephone: 513.794.6100  
www.ohionational.com

Ohio National Financial Services  
Political Action Committee

May 17, 2007

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

RE: AF# 1628  
Ohio National Financial Services, Inc. Political Action Committee  
Identification No.: C00296657

To Whom It May Concern:

Please accept this as a challenge to the RTB Finding and/or Calculated Civil Money Penalty levied against Ohio National Financial Services, Inc. Political Action Committee under the Administrative Fine Program. We disagree with the Commissions finding that ONFS-PAC's 12-day pre-election report with respect to the 2006 general election was "not filed". As explained in the attached declarations from our Treasurer, Joseph R. Sander, and our Assistant Secretary, the undersigned, we attempted to file this report in paper format, as was our prior practice. The Commission notified us that we were required to file the report electronically because our contributions to candidates exceeded the \$50,000 threshold by \$50. That notice was sent by the FEC on October 23, 2006. We acted as promptly as possible under the circumstances described herein to complete the electronic filing.

Upon receipt of the notice regarding the requirement to file electronically, we pursued that. Unfortunately, our treasurer had undergone surgery on his back and was on prescribed convalescence at that time. We attempted to obtain a password for the electronic filing through our Assistant Treasurer appointed pursuant to 11 C.F.R. § 102.7(a). The Commission rejected that attempt on the basis that only the Treasurer can request the password. We then pursued obtaining a password on the Treasurer's signature.

With this being our first effort to file electronically, we encountered significant difficulties with preparation of the filing. We contacted the FEC during our efforts to prepare and file the report electronically and received professional assistance. Unfortunately, we could not quickly determine how to cure the errors.

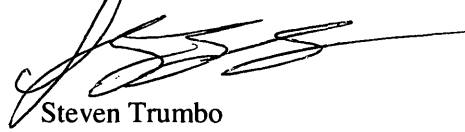
Given that ONFS-PAC filed the report in paper in a timely manner, and given our good faith efforts to file the 12-day pre-election report for the 2006 general election, we believe the administrative penalty should be forgiven or, at least, reduced. Our Treasurer was on medical leave during the filing period and was not available to request a password. The Commission rejected our Assistant Treasurer's attempt to request a password for electronic filing. Recognizing the election sensitive nature of the 12-day pre-election report, but giving consideration to our good faith efforts to file the report in a timely manner and

Page Two  
Federal Election Commission  
May 17, 2007

electronically while our treasurer was not available due to medical emergency, we believe the civil penalty should be forgiven with our assurances of future compliance. In no vent should the civil penalty be more than \$150 plus \$25 dollars per day that our filing was late or a total of \$425.

Thank you for your attention to our challenge to the Administrative fine. Please call the undersigned with any questions you may have about our challenge.

Respectfully yours,



Steven Trumbo  
Assistant Treasurer

Writer's Direct Dial Number  
(513)794-6443  
E-mail: [steven\\_trumbo@ohionational.com](mailto:steven_trumbo@ohionational.com)

Attachments

27092604961

AFFIDAVIT AND DECLARATION OF  
THE ASSISTANT SECRETARY OF  
OHIO NATIONAL FINANCIAL SERVICES, INC POLITICAL ACTION COMMITTEE

Comes now Steven R. Trumbo, having been duly cautioned and sworn, and hereby declares:

That I am the appointed Assistant Secretary of Ohio National Financial Services, Inc. Political Action Committee, (Identification Number C00296657) (herein ONFS-PAC).

That I routinely assist the Treasurer of ONFS-PAC, Joseph R. Sander, with the administration of ONFS-PAC including the preparation and filing of reports.

That upon receipt of the Federal Election Commissions directive that ONFS-PAC must file the 2006 12-day pre-election report electronically, we promptly pursued that requirement.

That on or about Wednesday, November 1, 2006 we contacted the Federal Election Commission to obtain a password for electronic filing. At that time, our treasurer, Joseph R. Sander, was not available due to convalescence from surgery on his back. We offered to submit a request for a password to be signed by our Assistant Treasurer, Arthur Roberts, pursuant to 11 C.F.R. § 102.7(a). The Federal Election Commission responded that only the treasurer could request the password.

That ONFS-PAC then pursued obtaining the signature of our Treasurer.

That on Friday, November 3, 2006, having obtained the password, ONFS-PAC attempted to file the report electronically. Being our first electronic filing, we encountered numerous error codes with our attempts to submit the filing. During this day, we contacted representatives of the Federal Election Commission electronic filing department seeking assistance with the filing. While the assistance of the Commission's representative was professional and helpful, we were not successful in our good faith attempt to file electronically as required on this day.

That we successfully completed the electronic filing of the 12-day Pre-election report for 2006 on November 6, 2006.

That ends this declaration.



Steven R. Trumbo

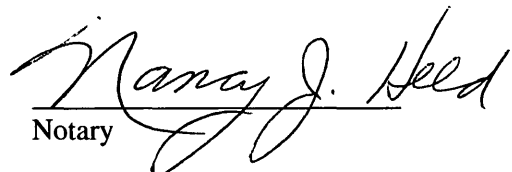
5-17-07  
Date

State of Ohio :  
                  : ss  
County of Hamilton :

The above named Steven R. Trumbo did sign this Affidavit in my presence and states that he is the Assistant Secretary of ONFS-PAC.



NANCY J. HELD  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
June 3<sup>rd</sup>, 2011

  
Notary

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AFFIDAVIT AND DECLARATION OF  
THE TREASURER OF  
OHIO NATIONAL FINANCIAL SERVICES, INC POLITICAL ACTION COMMITTEE

Comes now Joseph R. Sander, having been duly cautioned and sworn, and hereby declares:

That I am the appointed Treasurer of Ohio National Financial Services, Inc. Political Action Committee, (Identification Number C00296657) (herein ONFS-PAC) and am so listed on extant registrations statements (FEC Form 1) filed with the Federal Election Commission.

That ONFS-PAC submitted a paper filing on or about October 19, 2006 as our 12-day pre-election Report for the General Election held on November 7, 2006. The FEC rejected that filing because ONFS-PAC's contributions to candidates exceeded the electronic filing threshold of \$50,000 by \$50.

That the Federal Election Commission gave ONFS-PAC notice that the report had to be filed electronically on October 23, 2006, which notice was received by ONFS-PAC subsequent to that date.

That on October 26, 2006 I had surgery on my back.

That my last day to work in the office prior to the surgery was October 20, 2006. I was advised by my physician and surgeon not to return to the office for work until November 13, 2006. I was permitted by my physician and surgeon to return to work on a part-time basis after that date.

That ends this declaration.

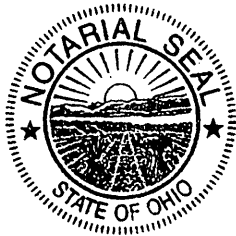
Joseph R. Sander  
Joseph R. Sander

5/17/07  
Date

State of Ohio :  
                  : ss  
County of Hamilton :

The above named Joseph R. Sander did sign this Affidavit in my presence and states that he is the Treasurer of ONFS-PAC.

Nancy J. Held  
Notary



NANCY J. HELD  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
June 3<sup>rd</sup>, 2011

27092604963



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 18, 2007

Joseph R. Sander, as Treasurer  
Ohio Financial Services Political Action Committee  
One Financial Way  
Cincinnati, OH 45242

C00296657  
AF# 1628

Dear Mr. Sander:

On May 18, 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,

A handwritten signature in cursive script that reads "Jill I. Sugarman".

Jill I. Sugarman  
Reviewing Analyst  
Office of Administrative Review

27092604964

Date: May 22, 2007

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

AF#: 1628

Committee Name: Ohio Financial Services Political Action Committee

Committee ID#: C00296657

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 April 4, 2007 and RTB Certification, dated April 10, 2007: Previously Forwarded

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

Attachment #: 1

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

Attachment #: N/A

RAD Staff Declaration:

-2006 Pre-General Prior Notice, dated October 2, 2006.

-RTB Letter, dated April 12, 2007.

Attachment #: 3

Other RAD Information (Y/N): N

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  X <i>Chris Jones</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Chris Jones</i> C. Date of Delivery</p>
<p>1. Article Addressed to:  Joseph R. Sander  Ohio Financial Services Political  Action Committee  One Financial Way, P.O. Box 237  Cincinnati, OH 45242</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 style="text-align: center;">APR 17 2007  USPS</p> <p>3. Service Type  <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <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 6709</p>

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**DECLARATION OF PATRICIA CARMONA**

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the research conducted with regard to 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 the Ohio Financial Services Political Action Committee:
- Prior Notice, dated October 2, 2006, referencing the 2006 Pre-General Report.
  - Reason-to-Believe Letter, dated April 12, 2007, referencing the 2006 Pre-General Report.
3. I hereby certify that I have searched the Commission's public records and find that the Ohio Financial Services Political Action Committee filed the 2006 Pre-General Report with the Federal Election Commission on November 6, 2006.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and we have provided all relevant telecoms for the case. This declaration was executed at Washington, D.C. on the 22nd day of May, 2007.



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

# GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

**PARTIES AND PACS**

October 2, 2006

**I. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 18**

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
Pre-General <sup>3</sup>	10/01/06 - 10/18/06	10/23/06	10/26/06
Post-General	10/19/06 - 11/27/06	12/07/06	12/07/06

**II. QUARTERLY FILERS THAT DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 18<sup>2</sup>**

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
Post-General	10/01/06 - 11/27/06	12/07/06	12/07/06

**WHO MUST FILE**

Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must follow the above charts in order to determine whether they must file a report 12 days before the general election on November 7 (the Pre-General Election Report). All Party Committees and PACs, regardless of financial activity, must file a report 30 days after the general election (the Post-General Election Report). Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

Certain party committees are required to file monthly reports (quarterly reporting is no longer an option for these committees). For more information, see the January 2006 Record, which can be found on the FEC web site at [www.fec.gov/pages/record.shtml](http://www.fec.gov/pages/record.shtml).

**METHOD OF FILING**

Quarterly Reports sent by registered or certified mail must be postmarked by the mailing date (please note that a certificate of mailing is not an acceptable method). Committees should keep the mailing receipt with its postmark as proof of filing.

If using overnight mail, the delivery service must receive the report by the mailing date. "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with an on-line tracking system and scheduled for next business day delivery. Quarterly Reports filed by any other means must be received by the Commission (or Secretary of the Senate for committees supporting only Senate candidates) by the filing date.

<sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

<sup>2</sup>Committees that made general election contributions or expenditures before October 1 and did not previously report them must also follow Chart I.

(over)

27092904968

**48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES**

Any PAC or Party Committee that makes independent expenditures in connection with the general election may also have to file 48-hour or 24-hour reports. The 48-hour reporting requirement will be triggered each time the committee makes independent expenditures aggregating \$10,000 or more between January 1 and October 18, 2006. The 24-hour reporting requirement will be triggered each time the committee makes independent expenditures in connection with the general election aggregating \$1,000 between October 19 and November 5, 2006. See 11 CFR 104.4. These reports are *not* required when a Party Committee or PAC makes a contribution directly to a candidate.

**QUARTERLY FILING SCHEDULE FOR REMAINDER OF 2006**

<b>REPORT</b>	<b>REPORTING PERIOD<sup>1</sup></b>	<b>REG./CERT. &amp; OVERNIGHT MAILING DATE</b>	<b>FILING DATE</b>
Year-End	11/28/06 - 12/31/06	01/31/07	01/31/07

**COMPLIANCE**

- Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.
- Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$16,000 (or more for repeat late- and non-filers). For additional information, see the enclosed handout entitled, "Administrative Fine Program" and visit the FEC web site at [www.fec.gov/af.shtml](http://www.fec.gov/af.shtml).
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.
- Electronic filers who instead file on paper or submit an electronic report (either by direct transmission or on 3.5" diskette) that does not pass the validation test will be considered non-filers and may be subject to enforcement actions (including administrative fines).

**ELECTRONIC FILING**

Political committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that have reason to expect to do so, must submit their reports electronically. For additional information, review the enclosed handout entitled "Electronic Filing," call the FEC's Electronic Filing office at (800) 424-9530 or (202) 694-1642, and visit our web site at [www.fec.gov/elecfil/electron.shtml](http://www.fec.gov/elecfil/electron.shtml).

**CHANGE IN FILING FREQUENCY**

Committees able to change their reporting schedule (for example, from quarterly to monthly) who wish to do so must notify the Commission in writing when they file their next report due under their current reporting schedule. Electronic filers must file this request electronically. Committees may change their filing frequency no more than once per calendar year.

<sup>1</sup>See footnote #1, on reverse side.

27092604969



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA OVERNIGHT DELIVERY**

July 2, 2007

Joseph R. Sander, as Treasurer  
Ohio Financial Services Political Action Committee  
One Financial Way  
Cincinnati, Ohio 45242

C00296657  
AF# 1628

Dear Mr. Sander:

On April 10, 2007, the Federal Election Commission ("Commission") found reason to believe ("RTB") that the Ohio Financial Services Political Action Committee 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 \$600 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Woodhead Werth".

Shawn Woodhead Werth  
Reviewing Officer

Office of Administrative Review

Attachment

27092604970



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

JUN 28 P 4: 20

June 28, 2007

MEMORANDUM

To: The Commission

Through: Patrina M. Clark *PMC*  
Staff Director

From: John Gibson *JG*  
Acting Chief Compliance Officer

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

Subject: AF# 1628 – Ohio Financial Services Political Action Committee  
and Joseph R. Sander, as Treasurer (C00296657)

**SENSITIVE**

This case's recommendation complies with the Commission's decision in five prior cases to terminate its proceedings because the respondents exceeded the \$50,000 mandatory electronic filing threshold but, instead of filing the report electronically, they filed it on paper which would have been timely had they not been required to file it electronically. After they were notified by RAD, they filed it electronically.

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

27092604971



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 28, 2007

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

AF# 1628 – Ohio Financial Services Political Action Committee and Joseph R. Sander, as Treasurer  
(C00296657)

On April 10, 2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2006 12 Day Pre-General Report and made a preliminary determination that the civil money penalty was \$600 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on April 12, 2007 of the Commission's RTB finding and civil money penalty.

**Respondents' Response**

On May 16, 2007, the Commission received the written response ("challenge") from Steven Trumbo, who signed as "Assistant Treasurer," on behalf of the respondents. He asserts that they filed timely on paper and, when notified by the Commission on October 23 that the report should have been filed electronically, they took prompt action to do so but encountered difficulties. First, the Commission refused to issue an electronic filing password since the Assistant Treasurer made the request in lieu of the Treasurer, who was recovering from surgery and on medical leave at the time. Second, as this was their first attempt to file electronically, the problems they experienced preparing the report required that they contact the Commission for assistance and precluded immediate filing. He asks that the fine be waived with their pledge of future compliance or that it not exceed \$425.

Included with the challenge are affidavits from the Treasurer and Mr. Trumbo, identified as the Committee's "Assistant Secretary." The Treasurer states that they submitted a paper filing on or around October 19, and October 20 was his last day of work prior to his back surgery on October 26, with doctors' orders not to return to work until November 13. Mr. Trumbo documents their efforts to electronically file the report, including unsuccessful attempts on or around November 1 to obtain a password in the Treasurer's absence, problems submitting the report on or around November 3 after receipt of the password and despite assistance from the Commission's Electronic Filing Office ("EFO"), and successful upload of the report on November 6.

**Supplemental Information Provided by Commission Staff**

In his response to OAR's request, the Information Technology Division ("ITD") Manager provides logs of contacts between the EFO staff and the respondents. Contacts on November 1 and 2 primarily concern attempts to obtain a password and download the FECFile software. On more than one occasion, the EFO staff explained that a Password Request Letter must be signed by the Treasurer. Committee representative Mary Ann Russo successfully downloaded the FECfile software and the EFO staff assigned a password to the Treasurer, Mr. Sander.

The ITD Manager explains that contacts with the EFO staff on November 3 and 6 concern Committee representatives' problems viewing validation errors and uploading the report. The EFO

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staff described the changes they needed to make on their computers to allow full view of validation errors, and explained how to modify their restrictive network firewall to enable communications with the Commission's Electronic Filing System.

With her declaration, RAD's Compliance Branch Chief provided relevant telecoms (written records of telephone conversations) for contacts between Committee representatives and the RAD Analysts. On November 1, Ms. Russo called after speaking with the EFO staff and noted that her report may be late due to the delay in obtaining a password and computer problems. The Analyst advised her to ask the EFO to expedite their password request. On November 3, Ms. Russo received assistance from another RAD Analyst with creating a "dummy report" in the FECFile software to ensure that year-to-date amounts are correct. Mr. Trumbo called the RAD analyst for assistance with uploading errors on November 6.

### Analysis of Challenge

The 12 Day Pre-General Report was electronically filed on November 6, 2006, 11 days late. A paper copy of the report was sent via UPS overnight delivery service on October 19, 2006.

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee shall file a pre-election report which shall be filed no later than the 12<sup>th</sup> day before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. 2 U.S.C. § 434(a)(4)(A)(ii) and 11 C.F.R. § 104.5(c)(1)(ii). Political committees must file in an electronic format if they have received contributions or made expenditures, or expect to receive contributions or make expenditures, in a calendar year aggregating in excess of \$50,000. 2 U.S.C. § 434(a)(11) and 11 C.F.R. § 104.18(a). Reports filed electronically 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. 2 U.S.C. § 434(a)(5) and 11 C.F.R. § 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

On October 19, the respondents submitted a paper copy of the report by overnight delivery service for next business day delivery, one of the "safe harbor" methods provided for at 2 U.S.C. § 434(a)(5). The paper copy would have been an acceptable and timely filing had the respondents not exceeded the \$50,000 mandatory electronic filing threshold on the same report. Because the paper copy disclosed net expenditures totaling \$50,050 for calendar year 2006, they were required to file it electronically. RAD notified the respondents on October 23 that the paper filing was unacceptable and that they needed to file it electronically, which they did on November 6. The Reviewing Officer, therefore, recommends that the Commission take no further action and close the file.

### **OAR Recommendations**

- (1) Take no further action in AF# 1628 that the Ohio Financial Services Political Action Committee and Joseph R. Sander, as Treasurer, violated 2 U.S.C. § 434(a) and close the file; and
- (2) Send the appropriate letter.

### Attachments

- Attachment 1 - Challenge Received from Respondents
- Attachment 2 -
- Attachment 3 - Declaration from RAD
- Attachment 4 - Declaration from OAR

# GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

October 2, 2006

## I. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 18

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
Pre-General <sup>3</sup>	10/01/06 - 10/18/06	10/23/06	10/26/06
Post-General	10/19/06 - 11/27/06	12/07/06	12/07/06

## II. QUARTERLY FILERS THAT DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 18<sup>2</sup>

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
Post-General	10/01/06 - 11/27/06	12/07/06	12/07/06

### WHO MUST FILE

Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must follow the above charts in order to determine whether they must file a report 12 days before the general election on November 7 (the Pre-General Election Report). All Party Committees and PACs, regardless of financial activity, must file a report 30 days after the general election (the Post-General Election Report). Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

Certain party committees are required to file monthly reports (quarterly reporting is no longer an option for these committees). For more information, see the January 2006 Record, which can be found on the FEC web site at [www.fec.gov/pages/record.shtml](http://www.fec.gov/pages/record.shtml).

### METHOD OF FILING

Quarterly Reports sent by registered or certified mail must be postmarked by the mailing date (please note that a certificate of mailing is not an acceptable method). Committees should keep the mailing receipt with its postmark as proof of filing.

If using overnight mail, the delivery service must receive the report by the mailing date. "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with an on-line tracking system and scheduled for next business day delivery. Quarterly Reports filed by any other means must be received by the Commission (or Secretary of the Senate for committees supporting only Senate candidates) by the filing date.

<sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

<sup>2</sup>Committees that made general election contributions or expenditures before October 1 and did not previously report them must also follow Chart I.

(over)

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**48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES**

Any PAC or Party Committee that makes independent expenditures in connection with the general election may also have to file 48-hour or 24-hour reports. The 48-hour reporting requirement will be triggered each time the committee makes independent expenditures aggregating \$10,000 or more between January 1 and October 18, 2006. The 24-hour reporting requirement will be triggered each time the committee makes independent expenditures in connection with the general election aggregating \$1,000 between October 19 and November 5, 2006. See 11 CFR 104.4. These reports are *not* required when a Party Committee or PAC makes a contribution directly to a candidate.

**QUARTERLY FILING SCHEDULE FOR REMAINDER OF 2006**

<b>REPORT</b>	<b>REPORTING PERIOD<sup>1</sup></b>	<b>REG./CERT. &amp; OVERNIGHT MAILING DATE</b>	<b>FILING DATE</b>
Year-End	11/28/06 - 12/31/06	01/31/07	01/31/07

**COMPLIANCE**

- Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.
- Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$16,000 (or more for repeat late- and non-filers). For additional information, see the enclosed handout entitled, "Administrative Fine Program" and visit the FEC web site at [www.fec.gov/af.shtml](http://www.fec.gov/af.shtml).
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.
- Electronic filers who instead file on paper or submit an electronic report (either by direct transmission or on 3.5" diskette) that does not pass the validation test will be considered non-filers and may be subject to enforcement actions (including administrative fines).

**ELECTRONIC FILING**

Political committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that have reason to expect to do so, must submit their reports electronically. For additional information, review the enclosed handout entitled "Electronic Filing," call the FEC's Electronic Filing office at (800) 424-9530 or (202) 694-1642, and visit our web site at [www.fec.gov/elecfil/electron.shtml](http://www.fec.gov/elecfil/electron.shtml).

**CHANGE IN FILING FREQUENCY**

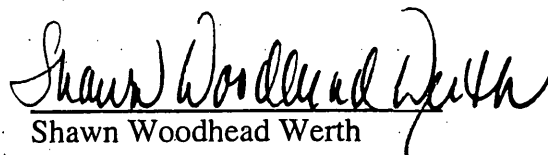
Committees able to change their reporting schedule (for example, from quarterly to monthly) who wish to do so must notify the Commission in writing when they file their next report due under their current reporting schedule. Electronic filers must file this request electronically. Committees may change their filing frequency no more than once per calendar year.

<sup>1</sup>See footnote #1, on reverse side.

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## 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 the report is deposited with an overnight delivery service with an on-line tracking system and scheduled for next business day delivery, it is considered filed upon deposit with the service.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - a) Page 1 of the Summary Page, Page 4 of the Detailed Summary Page, Pages 1 and 2 of Schedule B, and the Envelope Replacement Page for the paper copy of the report sent via overnight delivery by the Ohio Financial Services Political Action Committee and Joseph R. Sander, as Treasurer. According to the Commission's records, the paper copy covers the period from October 1 through October 18, 2006, was deposited on October 19, 2006, and was received on October 20, 2006. On Line 23, it lists \$8,500.00 for this reporting period and \$50,050.00 for the calendar year-to-date in contributions to federal candidates/committees and other political committees. Schedule B lists four contributions made on October 4, 2006, for the General Election to four Senate candidate committees; and
  - b) Page 1 of the Summary Page for the 2006 12 Day Pre-General Report electronically filed by the Ohio Financial Services Political Action Committee and Joseph R. Sander, as Treasurer. According to Commission records, the report covers the period from October 1 through October 18, 2006, and was received on November 6, 2006.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 28<sup>th</sup> of June, 2007.



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

27092604976

**FEC  
FORM 3X**

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

RECEIVED  
FEC MAIL  
OPERATIONS CENTER

2006 OCT 20 A 11:58  
Office Use Only

1. NAME OF COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type over the lines.

12FE4M5

Ohio National Financial Services, Inc. Political  
Action Committee

ADDRESS (number and street)

One Financial Way

Check if different than previously reported. (ACC)

Cincinnati OH 45242-

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C00296657

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 Year-End Report (YE)
- July 31 Mid-Year Report (Non-election Year Only) (MY)
- Termination Report (TER)

(b) Monthly Report Due On:

- Feb 20 (M2)
- Mar 20 (M3)
- Apr 20 (M4)
- May 20 (M5)
- Jun 20 (M6)
- Jul 20 (M7)
- Aug 20 (M8)
- Sep 20 (M9)
- Oct 20 (M10)
- Nov 20 (M11) (Non-Election Year Only)
- Dec 20 (M12) (Non-Election Year Only)
- Jan 31 (YE)

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

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

Election on 11 / 07 / 2006 in the State of OH

(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 Joseph R. Sander

Signature of Treasurer

*Joseph R. Sander*

Date

10 / 19 / 2006

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

Office Use Only

FEC FORM 3X  
Rev. 12/2004

26039240237092604977

**DETAILED SUMMARY PAGE  
of Disbursements**

FEC Form 3X (Rev. 02/2003)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share .....		
(ii) Non-Federal Share .....		
(b) Other Federal Operating Expenditures .....		
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)) .....		
22. Transfers to Affiliated/Other Party Committees .....		
23. Contributions to Federal Candidates/Committees and Other Political Committees .....	8,500.00	5,005.00
24. Independent Expenditures (use Schedule E) .....		
25. Coordinated Party Expenditures (2 U.S.C. §441a(d)) (use Schedule F) .....		
26. Loan Repayments Made .....		
27. Loans Made .....		
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees .....		
(b) Political Party Committees .....		
(c) Other Political Committees (such as PACs) .....		
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)) .....		
29. Other Disbursements .....		
30. Federal Election Activity (2 U.S.C. §431(20))		
(a) Allocated Federal Election Activity (from Schedule H8)		
(i) Federal Share .....		
(ii) "Levin" Share .....		
(b) Federal Election Activity Paid Entirely With Federal Funds .....		
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)) .....		
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) .....		
32. Total Federal Disbursements (subtract Line 21(e)(ii) and Line 30(a)(ii) from Line 31) .....	8,500.00	5,005.00

2603924024#092604978

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**

Use separate schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER: (check only one)		PAGE 1 OF 2			
	<input type="checkbox"/> 21b 27	<input type="checkbox"/> 22 28a	<input checked="" type="checkbox"/> 23 28b	<input type="checkbox"/> 24 28c	<input type="checkbox"/> 25 29	<input type="checkbox"/> 26 30b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)  
**Ohio National Financial Services, Inc. Political Action Committee**

Full Name (Last, First, Middle Initial)  
**A. Hartman For Ohio**

Mailing Address  
**41 South High St., 29th Floor**

City **Columbus** State **OH** Zip Code

Purpose of Disbursement  
**Contribution**

Candidate Name  
**Greg Hartman**

Office Sought:  House  Senate  President  
Disbursement For:  Primary  General  Other (specify) **Secretary of State**

State: District:

Date of Disbursement  
**10 / 04 / 2006**

Amount of Each Disbursement this Period  
**1 500 00**

Full Name (Last, First, Middle Initial)  
**B. Talent for Senate**

Mailing Address  
**9467 Dielman Rock Island Industrial Drive**

City **St. Louis** State **MO** Zip Code **63132**

Purpose of Disbursement  
**Contribution**

Candidate Name  
**Jim Talent**

Office Sought:  House  Senate  President  
Disbursement For:  Primary  General  Other (specify)

State: **MO** District:

Date of Disbursement  
**10 / 04 / 2006**

Amount of Each Disbursement this Period  
**1 500 00**

Full Name (Last, First, Middle Initial)  
**C. Tom Kean for U.S. Senate**

Mailing Address  
**187 Mill Lane**

City **Mountainside** State **NJ** Zip Code **07092**

Purpose of Disbursement  
**Contribution**

Candidate Name  
**Tom Kean**

Office Sought:  House  Senate  President  
Disbursement For:  Primary  General  Other (specify)

State: **NJ** District:

Date of Disbursement  
**10 / 04 / 2006**

Amount of Each Disbursement this Period  
**1 500 00**

SUBTOTAL of Disbursements This Page (optional)..... **4 500 00**

TOTAL This Period (last page this line number only)..... **8 500 00**

26039240245092604979

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 2 OF 2

<input type="checkbox"/> 21b	<input type="checkbox"/> 22	<input checked="" type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Ohio National Financial Services, Inc. Political Action Committee

Full Name (Last, First, Middle Initial)

**A. Bob Corker for Senate**

Date of Disbursement

10 / 04 / 2006

Mailing Address

P.O. Box 848

City

Chattanooga

State

TN

Zip Code

37401

Purpose of Disbursement

Contribution

Category/Type

Amount of Each Disbursement this Period

1 5 0 0 0 0

Candidate Name

Bob Corker

Office Sought:

House  
 Senate  
 President

Disbursement For:

Primary  General  
 Other (specify) ▼

State: TN

District:

Full Name (Last, First, Middle Initial)

**B. Mike DeWine for U.S. Senate**

Date of Disbursement

10 / 04 / 2006

Mailing Address

P.O. Box 340188

City

Columbus

State

OH

Zip Code

43234

Purpose of Disbursement

Contribution

Category/Type

Amount of Each Disbursement this Period

1 5 0 0 0 0

Candidate Name

Mike DeWine

Office Sought:

House  
 Senate  
 President

Disbursement For:

Primary  General  
 Other (specify) ▼

State: OH

District:

Full Name (Last, First, Middle Initial)

**C. Citizens for Mary Taylor**

Date of Disbursement

10 / 04 / 2006

Mailing Address

3788 Park Ridge Drive

City

Uniontown

State

OH

Zip Code

44685

Purpose of Disbursement

Contribution

Category/Type

Amount of Each Disbursement this Period

1 0 0 0 0 0

Candidate Name

Mary Taylor

Office Sought:

House  
 Senate  
 President

Disbursement For:

Primary  General  
 Other (specify) ▼

State:

District:

State Auditor - OH

SUBTOTAL of Disbursements This Page (optional).....▶

4 0 0 0 0 0

TOTAL This Period (last page this line number only).....▶

8 5 0 0 0 0

26039240246092604980

Federal Election Commission  
**ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS**  
 The FEC added this page to the end of this filing to indicate how it was received.

Hand Delivered Date of Receipt

USPS First Class Mail Postmarked

USPS Registered/Certified Postmarked (R/C)

USPS Priority Mail Postmarked  
 Delivery Confirmation™ or Signature Confirmation™ Label

USPS Express Mail Postmarked

Postmark Illegible

No Postmark

Overnight Delivery Service (Specify): Shipping Date  
*UPS* *10/19/06*  
 Next Business Day Delivery

Received from House Records & Registration Office Date of Receipt

Received from Senate Public Records Office Date of Receipt

Received from Electronic Filing Office Date of Receipt

Other (Specify): Date of Receipt or Postmarked

*Dei*  
 PREPARER  
 (3/2005)

*10/20/06*  
 DATE PREPARED

26039248247092604981

**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

Ohio Financial Services Political Action Committee

ADDRESS (number and street)

One Financial Way

Check if different than previously reported. (ACC)

Cincinnati

OH

45242

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE

C00296657

3. IS THIS REPORT  NEW 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)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

11

07

2006

in the State of

OH

(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 Joseph Sander

Signature of Treasurer Electronically Filed by Joseph Sander Date 11 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 437g.

Office Use Only

**FEC FORM 3X**  
(Rev. 02/2005)

27092604982



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2007 AUG -6 P 12:49  
August 3, 2007

MEMORANDUM

**SENSITIVE**

To: The Commission

Through: Patrina M. Clark *PKC*  
Staff Director

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

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

Subject: Final Determination Recommendation in AF# 1628 – Ohio Financial Services Political Action Committee and Joseph R. Sander, as Treasurer (C00296657)

On April 10, 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 and also made a preliminary determination that the civil money penalty was \$600 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 16, 2007, the Commission received the respondents' written response ("challenge"). The challenge presented evidence that the respondents sent a paper copy of the report by one of the "safe harbor methods" provided for at 2 U.S.C. § 434(a)(5). It would have been an acceptable and timely filing had they not exceeded the \$50,000 mandatory electronic filing threshold on this same report. They electronically filed the report on November 6 after receipt of the October 23<sup>rd</sup> failure to electronically file notice. The Reviewing Officer, therefore, recommended that the Commission take no further action and close the file.

The Reviewing Officer's recommendation dated June 28, 2007 was forwarded to the Commission. A copy was simultaneously forwarded to the respondents. Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in the respondents' challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

**OAR Recommendations**

- (1) Take no further action in AF# 1628 against the Ohio Financial Services Political Action Committee and Joseph R. Sander, as Treasurer, with respect to 2 U.S.C. § 434(a) and close the file; and
- (2) Send the appropriate letter.

27092604983



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Monday, August 06, 2007 4:00

BALLOT DEADLINE: Thursday, August 09, 2007 4:00

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

SUBJECT: **Final Determination Recommendation in AF  
1628 – Ohio Financial Services PAC and Joseph  
R. Sander, as Treasurer (C00296657)  
Memorandum from the Chief  
Compliance Officer and the Reviewing  
Officer dated August 3, 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

27092604984

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Final Determination Recommendation: ) AF 1628  
Ohio Financial Services Political Action )  
Committees and Joseph R Sander, as )  
Treasurer (C00296657) )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on August 09, 2007, the Commission decided by a vote of 5-0 to take the following actions in AF 1628:

1. Take no further action in AF 1628 against the Ohio Financial Services Political Action Committee and Joseph R. Sander, as Treasurer, with respect to 2 U.S.C. § 434(a) and close the file.
2. Send the appropriate letter.

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

Attest:

August 10, 2007  
Date

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

27092604985



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 14, 2007

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Joseph R. Sander, as Treasurer  
Ohio Financial Services Political Action Committee  
One Financial Way  
Cincinnati, Ohio 45242

ID# C00296657  
AF# 1628

Dear Mr. Sander:

On April 10, 2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Ohio Financial Services Political Action Committee and you, as Treasurer ("the respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2006 12 Day Pre-General Report. By letter dated April 12, 2007, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$600 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 16, 2007, the Office of Administrative Review received the written response ("challenge") from Steven Trumbo challenging the RTB finding.

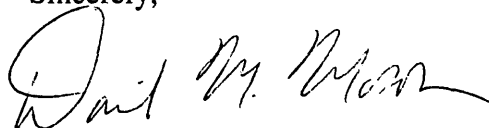
The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the challenge. Based on this review, the Reviewing Officer recommended that the Commission take no further action because the challenge presented evidence that you sent a paper copy of the report by one of the "safe harbor" methods provided for at 2 U.S.C. § 434(a)(5). It would have been an acceptable and timely filing had the Committee not exceeded the \$50,000 mandatory electronic filing threshold on this report. On November 6, 2006, you electronically filed the report after receipt of the October 23<sup>rd</sup> failure to electronically file notice. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on July 2, 2007.

On August 9, 2007, the Commission adopted the Reviewing Officer's recommendation to take no further action against the respondents with respect to 2 U.S.C. § 434(a). 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.

27092604986

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

Sincerely,

A handwritten signature in cursive script that reads "David M. Mason". The signature is written in black ink and is positioned above the printed name and title.

David M. Mason  
Vice Chairman

27092604987



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1628

DATE SCANNED 9-25-07

SCANNER NO. 2

SCAN OPERATOR JMA

27092604988