



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1723

DATE SCANNED 2-12-08

SCANNER NO. 2

SCAN OPERATOR JMS

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2007 MAY -9 P 4: 52

May 9, 2007

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *JMC*  
STAFF DIRECTOR

MARGARITA MAISONET *MM*  
CHIEF COMPLIANCE OFFICER

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

SUBJECT: REASON TO BELIEVE RECOMMENDATION - 2006 YEAR  
END REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file or failed to timely file the 2006 Year End Report in accordance with 2 U.S.C. 434(a). The Year End Report was due on January 31, 2007.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days after the due date, or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

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**Recommendation**

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

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Federal Election Commission  
Reason to Believe Circulation Report  
2006 YEAR-END Not Election Sensitive 01/31/2007 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1697	C00038604	AMERICAN FINANCIAL SERVICES ASSOCIATION PAC		MR. BILL HIMPLER	\$626,701	0	2/14/2007	14	\$11,400	\$170
1698	C00413534	ANDY MICHAUD FOR CONGRESS	MICHAUD, ANDY	ANDY MICHAUD	\$349,922	0		Not Filed	\$49,989 (est)	\$900
1699	C00416404	ARCH LEADERSHIP PAC		JOHN ROSS TRUMAN	\$133,843	0		Not Filed	\$44,614 (est)	\$900
1700	C00258590	BARRACK RODOS		DANIEL E. BAGINE	\$164,100	0	2/13/2007	13	\$30,850	\$460
1701	C00423608	BEATTY FOR CONGRESS COMMITTEE	BEATTY, JEFFREY K	JUDITH GRANDINETTI	\$181,670	0	4/27/2007	Not Filed	\$1,387	\$250
1702	C00423335	BYRNE FOR CONGRESS COMMITTEE, THE	BYRNE, MARK	JILL K. HUEY	\$148,107	0	4/6/2007	Not Filed	\$4,694	\$250
1703	C00419143	CHAD KLUKO FOR CONGRESS COMMITTEE	KLUKO, CHAD	MARK KLUKO	\$176,646	0		Not Filed	\$35,328 (est)	\$900
1704	C00416321	COMMITTEE TO ELECT BRAD BLANTON	BLANTON, BRAD	JUSTIN BURCHARD	\$112,352	0		Not Filed	\$22,470 (est)	\$500
1705	C00420505	COMMITTEE TO ELECT MARVELL MITCHELL FOR CONGRESS	MITCHELL, MARVELL R	RICHARD B. CAMPBELL	\$257,039	1	3/12/2007	Not Filed	\$1,751	\$312
1706	C00427229	COMMITTEE TO ELECT SEKHON FOR CONGRESS	SEKHON, ARJINDERPAL SINGH	DALJIT KAUR SEKHON	\$356,831	0	3/12/2007	Not Filed	\$7,498	\$900
1707	C00111237	COMPRESSED AIR FREE AIR FOUNDATION TUNNEL CAISSON SUBWAY WORKERS POLITICAL ACTION FUND		RICHARD E. FITZSIMMONS	\$141,104	0	2/15/2007	15	\$7,954	\$125
1708	C00218172	CONSERVATIVE VICTORY COMMITTEE		LEIF E. NOREN	\$100,252	0		Not Filed	\$16,709 (est)	\$500
1709	C00379834	CONTRA COSTA UNITED DEMOCRATIC CAMPAIGN AKA CCUDC		GREGORY E. SANBORN	\$145,026	1	2/28/2007	28	\$5,647	\$237
1710	C00421978	DONZELLA JAMES FOR US CONGRESS CAMPAIGN 2006	JAMES DONZELLA	ELMO JAMES	\$117,025	1		Not Filed	\$1,475 (est)	\$312
1711	C00424051	GREEN FOR CHANGE	GREEN, ROGER LEON	CORAMINITA MAHR	\$122,014	1	3/7/2007	Not Filed	\$4,200	\$312
1712	C00414177	HOMER/HARTAGE	HARTAGE, HOMER L	BLAKE ERICA	\$353,490	0	4/14/2007	Not Filed	\$9,254	\$300

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1713	C00201491	INTERGRAPH CORPORATION POLITICAL ACTION COMMITTEE		KERRY M. FEHRENBACH	\$163,850	1	2/14/2007	14	\$4,939	\$118
1714	C00418152	JACOBS FOR CONGRESS	JACOBS, THOR MICHAEL	WILLARD STEPHEN HAYNES	\$121,238	0		Not Filed	\$40,433 (est)	\$900
1715	C00414102	JOE SULZER FOR CONGRESS COMMITTEE	SULZER, JOSEPH P	ROBERT HITCHENS	\$858,315	0		Not Filed	\$171,663 (est)	\$5,500
1716	C00411512	KANNIG FOR CONGRESS	KANNIG, JOHN	LEE NEVES	\$294,209	0		Not Filed	\$36,776 (est)	\$900
1717	C00393702	KING FOR CONGRESS	KING, GARY KENNETH	BRUCE MALOTT	\$118,789	0	2/7/2007	7	\$14,561	\$135
1720	C00424077	MIKE MCGRAW FOR CONGRESS	MCGRAW, MICHAEL EDWARD	A. ROBERT MUZIO	\$131,898	0		Not Filed	\$32,975 (est)	\$900
1721	C00369884	MZM INC. PAC		JEANNE ONEIL	\$178,705	0		Not Filed	\$35,741 (est)	\$900
1722	C00399287	NEXT POLITICAL ACTION COMMITTEE		PATRICK LINEHAN	\$103,302	0	3/2/2007	30	\$3,600	\$175
1723	C00416727	O'KEEFE FOR CONGRESS	O'KEEFE, KEVIN SCOTT	WILLIAM R. KORB	\$441,777	0		Not Filed	\$88,355 (est)	\$3,500
1724	C00300939	OHIO ASSOCIATION OF MORTGAGE BROKERS PAC (OAMB PAC)		JIM STEINBERG	\$115,420	1		Not Filed	\$16,489 (est)	\$625
1725	C00422329	OSTROW FOR CONGRESS	OSTROW, PAUL TIMOTHY	SUSAN H. HANNA	\$459,687	0	3/5/2007		\$38,560	\$900
1726	C00412742	PAUL R. NELSON FOR CONGRESS COMMITTEE	NELSON, PAUL R	JEFF ANDERSON	\$492,369	0		Not Filed	\$61,545 (est)	\$2,700
1727	C00416511	PENNSYLVANIA PAC FOR PROGRESS		JONATHAN ROBERT KING	\$165,851	0	2/8/2007	8	\$15,130	\$140
1728	C00266536	PHILLIPS INTERNATIONAL INC POLITICAL ACTION COMMITTEE		WILLIAM ESTEY	\$231,502	0		Not Filed	\$46,300 (est)	\$900
1729	C00416503	RIGGER FOR CONGRESS	RIGGER, DARREN J	JENNIFER I. BUTLER	\$254,644	0		Not Filed	\$50,928 (est)	\$2,700
1730	C00409359	SAN MATEO COUNTY DEMOCRATIC-CENTRAL COMMITTEE		JUDITH A. CHRISTENSEN	\$160,523	0		Not Filed	\$14,465 (est)	\$500
1731	C00395822	SCHWARZ FOR CONGRESS	SCHWARZ, JOHN	ROBERT HANS SCHULER	\$3,296,783	0		Not Filed	\$329,677 (est)	\$8,000
1732	C00393488	STOP HILARY PAC		JOHN LEBOUTELLER	\$108,809	0		Not Filed	\$27,202 (est)	\$900

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1733	C00278788	SUFF CO DETECTIVES ASSN INC POLITICAL ACTION COMMITTEE		RAYMOND L GRIFFIN, JR.	\$154,093	0	4/29/2007	Not Filed	\$4,057	\$250
1734	C00399113	TAN NGUYEN FOR CONGRESS	NGUYEN, TAN D	TAN NGUYEN	\$1,095,210	0		Not Filed	\$121,690 (est)	\$4,500
1735	C00415760	TERRY STULCE FOR CONGRESS	STULCE, TERRY F	BLAIR CANNON	\$116,369	0		Not Filed	\$23,274 (est)	\$500
1737	C00393868	ZINGA FOR CONGRESS	ZINGA, ANDREA	CHARLES MCCLURG	\$833,535	0		Not Filed	\$83,353 (est)	\$3,500

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2006 )  
Year End Report for the Administrative )  
Fine Program: )  
KING FOR CONGRESS, and BRUCE ) AF# 1717  
MALOTT as treasurer; )  
COMMITTEE TO ELECT SEKHON FOR ) AF# 1706  
CONGRESS, and DALJIT KAUR )  
SEKHON as treasurer; )  
KANNO FOR CONGRESS, and Neves, ) AF# 1716  
Lee as treasurer; )  
TAN NGUYEN FOR CONGRESS, and ) AF# 1734  
Tello, Emilee as treasurer; )  
HOMER HARTAGE, and Black, Erica C. ) AF# 1712  
as treasurer; )  
ANDY MICHAUD FOR CONGRESS, and ) AF# 1698  
ANDY MICHAUD as treasurer; )  
MIKE MCGRAW FOR CONGRESS, and ) AF# 1720  
A ROBERT MUZIO as treasurer; )  
DONZELLA JAMES FOR US ) AF# 1710  
CONGRESS CAMPAIGN 2006, and )  
ELMO JAMES as treasurer; )  
  
ZINGA FOR CONGRESS, and McClurg, ) AF# 1737  
Charles as treasurer; )  
BEATTY FOR CONGRESS ) AF# 1701  
COMMITTEE, and JUDITH )  
GRANDINETTI as treasurer; )  
O'KEEFFE FOR CONGRESS, and ) AF# 1723  
WILLIAM R KORB as treasurer; )  
SCHWARZ FOR CONGRESS, and ) AF# 1731  
ROBERT HANS SCHULER as treasurer; )  
  
OSTROW FOR CONGRESS, and SUSAN ) AF# 1725  
H HANNA as treasurer; )

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BYRNE FOR CONGRESS COMMITTEE; ) AF# 1702  
THE, and JILL K HUEY as treasurer; )  
GREEN FOR CHANGE, and ) AF# 1711  
CORAMINITA MAHR as treasurer; )  
RIGGER FOR CONGRESS, and ) AF# 1729  
JENNIFER I BUTLER as treasurer; )  
JACOBS FOR CONGRESS, and ) AF# 1714  
WILLARD STEPHEN HAYNES as )  
treasurer; )  
JOE SULZER FOR CONGRESS ) AF# 1715  
COMMITTEE, and ROBERT HITCHENS )  
as treasurer; )  
CHAD KLUKO FOR CONGRESS ) AF# 1703  
COMMITTEE, and MARK KLUKO as )  
treasurer; )  
TERRY STULCE FOR CONGRESS, and ) AF# 1735  
Cannon, Blair Ms as treasurer; )  
COMMITTEE TO ELECT MARVELL ) AF# 1705  
MITCHELL FOR CONGRESS, and )  
RICHARD B CAMPBELL as treasurer; )  
COMMITTEE TO ELECT BRAD ) AF# 1704  
BLANTON, and Burchard, Justin as )  
treasurer; )  
PAUL R. NELSON FOR CONGRESS ) AF# 1726  
COMMITTEE, and Anderson, Jeff as )  
treasurer; )  
CONTRA COSTA UNITED ) AF# 1709  
DEMOCRATIC CAMPAIGN AKA )  
CCUDC, and GREGORY E SANBORN as )  
treasurer; )  
NEXT POLITICAL ACTION ) AF# 1722  
COMMITTEE, and Linehan, Patrick as )  
treasurer; )  
PENNSYLVANIA PAC FOR PROGRESS, ) AF# 1727  
and JONATHAN ROBERT KING as )  
treasurer; )  
AMERICAN FINANCIAL SERVICES ) AF# 1697  
ASSOCIATION PAC, and Himpler, Bill )  
Mr. as treasurer; )  
BARRACK, RODOS, and DANIEL E ) AF# 1700  
BACINE as treasurer; )

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COMPRESSED AIR FREE AIR ) AF# 1707  
FOUNDATION TUNNEL CAISSON )  
SUBWAY WORKERS POLITICAL )  
ACTION FUND, and RICHARD E )  
FITZSIMMONS as treasurer; )  
INTERGRAPH CORPORATION ) AF# 1713  
POLITICAL ACTION COMMITTEE, and )  
KERRY M FEHRENBACH as treasurer; )  
STOP HILARY PAC, and JOHN ) AF# 1732  
LEBOUTELLIER as treasurer; )  
ARCH LEADERSHIP PAC, and JOHN ) AF# 1699  
ROSS TRUMAN as treasurer; )  
SUFF CO DETECTIVES ASSN INC ) AF# 1733  
POLITICAL ACTION COMMITTEE, and )  
RAYMOND L GRIFFIN JR as treasurer; )  
CONSERVATIVE VICTORY ) AF# 1708  
COMMITTEE, and LEIF E NOREN as )  
treasurer; )  
MZM INC. PAC, and O'Neil, Jeanne Ms. as ) AF# 1721  
treasurer; )  
OHIO ASSOCIATION OF MORTGAGE ) AF# 1724  
BROKERS PAC (OAMB PAC), and JIM )  
STEINBERG as treasurer; )  
PHILLIPS INTERNATIONAL INC ) AF# 1728  
POLITICAL ACTION COMMITTEE, and )  
Estey, William Mr. as treasurer; )  
SAN MATEO COUNTY DEMOCRATIC ) AF# 1730  
CENTRAL COMMITTEE, and JUDITH A )  
CHRISTENSEN as treasurer; )

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on May 15, 2007 the Commission took the following actions on the Reason To Believe Recommendation - 2006 Year End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated May 09, 2007, on the following committees:

AF#1717 Decided by a vote of 4-0 to: (1) find reason to believe that KING FOR CONGRESS, and BRUCE MALOTT 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#1706 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT SEKHON FOR CONGRESS, and DALJIT KAUR SEKHON 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#1716 Decided by a vote of 4-0 to: (1) find reason to believe that KANNO FOR CONGRESS, and Neves, Lee 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#1734 Decided by a vote of 4-0 to: (1) find reason to believe that TAN NGUYEN FOR CONGRESS, and Tello, Emilee 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#1712 Decided by a vote of 4-0 to: (1) find reason to believe that HOMER HARTAGE, and Black, Erica C. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on

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

AF#1698 Decided by a vote of 4-0 to: (1) find reason to believe that ANDY MICHAUD FOR CONGRESS, and ANDY MICHAUD 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#1720 Decided by a vote of 4-0 to: (1) find reason to believe that MIKE MCGRAW FOR CONGRESS, and A ROBERT MUZIO 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#1710 Decided by a vote of 4-0 to: (1) find reason to believe that DONZELLA JAMES FOR US CONGRESS CAMPAIGN 2006, and ELMO JAMES as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1737 Decided by a vote of 4-0 to: (1) find reason to believe that ZINGA FOR CONGRESS, and McClurg, Charles 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#1701 Decided by a vote of 4-0 to: (1) find reason to believe that BEATTY FOR CONGRESS COMMITTEE, and JUDITH GRANDINETTI 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#1723 Decided by a vote of 4-0 to: (1) find reason to believe that O'KEEFFE FOR CONGRESS, and WILLIAM R KORB 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#1731 Decided by a vote of 4-0 to: (1) find reason to believe that SCHWARZ FOR CONGRESS, and ROBERT HANS SCHULER 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#1725 Decided by a vote of 4-0 to: (1) find reason to believe that OSTROW FOR CONGRESS, and SUSAN H HANNA 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#1702 Decided by a vote of 4-0 to: (1) find reason to believe that BYRNE FOR CONGRESS COMMITTEE; THE, and JILL K HUEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1711 Decided by a vote of 4-0 to: (1) find reason to believe that GREEN FOR CHANGE, and CORAMINITA MAHR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1729 Decided by a vote of 4-0 to: (1) find reason to believe that RIGGER FOR CONGRESS, and JENNIFER I BUTLER as treasurer violated 2 U.S.C. 434(a) and make

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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#1714 Decided by a vote of 4-0 to: (1) find reason to believe that JACOBS FOR CONGRESS, and WILLARD STEPHEN HAYNES 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#1715 Decided by a vote of 4-0 to: (1) find reason to believe that JOE SULZER FOR CONGRESS COMMITTEE, and ROBERT HITCHENS 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#1703 Decided by a vote of 4-0 to: (1) find reason to believe that CHAD KLUKO FOR CONGRESS COMMITTEE, and MARK KLUKO 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#1735 Decided by a vote of 4-0 to: (1) find reason to believe that TERRY STULCE FOR CONGRESS, and Cannon, Blair 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#1705 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT MARVELL MITCHELL FOR CONGRESS, and RICHARD B CAMPBELL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1704 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT BRAD BLANTON, and Burchard, Justin as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard,

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

AF#1726 Decided by a vote of 4-0 to: (1) find reason to believe that PAUL R. NELSON FOR CONGRESS COMMITTEE, and Anderson, Jeff 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#1709 Decided by a vote of 4-0 to: (1) find reason to believe that CONTRA COSTA UNITED DEMOCRATIC CAMPAIGN AKA CCUDC, and GREGORY E SANBORN 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#1722 Decided by a vote of 4-0 to: (1) find reason to believe that NEXT POLITICAL ACTION COMMITTEE, and Linehan, Patrick 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#1727 Decided by a vote of 4-0 to: (1) find reason to believe that PENNSYLVANIA PAC FOR PROGRESS, and JONATHAN ROBERT KING 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#1697 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICAN FINANCIAL SERVICES ASSOCIATION PAC, and Himpler, Bill 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#1700 Decided by a vote of 4-0 to: (1) find reason to believe that BARRACK, RODOS, and DANIEL E BACINE 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#1707 Decided by a vote of 4-0 to: (1) find reason to believe that COMPRESSED AIR FREE AIR FOUNDATION TUNNEL CAISSON SUBWAY WORKERS POLITICAL ACTION FUND, and RICHARD E FITZSIMMONS 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#1713 Decided by a vote of 4-0 to: (1) find reason to believe that INTERGRAPH CORPORATION POLITICAL ACTION COMMITTEE, and KERRY M FEHRENBACH 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#1732 Decided by a vote of 4-0 to: (1) find reason to believe that STOP HILARY PAC, and JOHN LEBOUTELLIER 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#1699 Decided by a vote of 4-0 to: (1) find reason to believe that ARCH LEADERSHIP PAC, and JOHN ROSS TRUMAN 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#1733 Decided by a vote of 4-0 to: (1) find reason to believe that SUFF CO DETECTIVES ASSN INC POLITICAL ACTION COMMITTEE, and RAYMOND L GRIFFIN JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1708 Decided by a vote of 4-0 to: (1) find reason to believe that CONSERVATIVE VICTORY COMMITTEE, and LEIF E NOREN 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#1721 Decided by a vote of 4-0 to: (1) find reason to believe that MZM INC. PAC, and O'Neil, Jeanne Ms. 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#1724 Decided by a vote of 4-0 to: (1) find reason to believe that OHIO ASSOCIATION OF MORTGAGE BROKERS PAC (OAMB PAC), and JIM STEINBERG 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#1728 Decided by a vote of 4-0 to: (1) find reason to believe that PHILLIPS INTERNATIONAL INC POLITICAL ACTION COMMITTEE, and Estey, William 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#1730 Decided by a vote of 4-0 to: (1) find reason to believe that SAN MATEO COUNTY DEMOCRATIC CENTRAL COMMITTEE, and JUDITH A CHRISTENSEN 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:

May 16, 2007  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 17, 2007

William R. Korb  
O'Keeffe for Congress  
Post Office Box 36  
Linthicum, MD 21090

C00416727  
AF#: 1723

Dear William R. Korb:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year End Report of Receipts and Disbursements every calendar year. This report, covering the period through December 31st, shall be filed no later than January 31st. 2 U.S.C. 434(a). You were previously notified of the due date for this report. Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 5/15/2007, the FEC found that there is reason to believe ("RTB") that O'Keeffe for Congress and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before January 31st. 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 \$3,500. It is due by 6/24/2007 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$88,355  
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 6/24/2007. Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty. The FEC will only consider challenges that are based on a factual error, miscalculation of the calculated civil money penalty by the FEC, or the existence of extraordinary circumstances that persisted for more than 48 hours that were beyond your control

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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 O'Keeffe for Congress and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. 111.45.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

Additional information on the FEC's administrative fine program, including the final regulations, is located at the FEC's website at [www.FEC.gov](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 \$3,500 for the 2006 Year-End 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 6/24/2007. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

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

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
-----

FOR: O'Keeffe for Congress

FEC ID#: C00416727

AF#: 1723

PAYMENT DUE DATE: 6/24/2007

PAYMENT AMOUNT DUE: \$3,500

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**WILLIAM R. KORB**

**GLEN BURNIE, MARYLAND 21061**

2007 JUN 11 P 2:41

June 8, 2007

VIA Certified Mail No. 7005 1820 0000 5941 3766

FEC's Office of Administrative Review  
999 E Street, NW  
Washington, DC 20463

Re: AF# 1723

To Whom It May Concern:

I am writing to seek mitigation and reduction of the \$3500 civil penalty assessed to me for not filing the O'Keeffe for Congress campaign report in a timely manner. I was a volunteer campaign treasurer for Kevin O'Keeffe, Campaign no. C00416727.

Just after the primary election date of September 12, 2006, my business was purchased by another business. I was actively involved in a complicated business transaction that took a great deal of time and energy. This was a very stressful period for me.

During this business transition coupled with the electoral loss of Kevin O'Keeffe, I failed to file the O'Keeffe for Congress campaign report.

I apologize for failing to file the final O'Keeffe for Congress report in a timely manner. \$3500 is a significant amount of money. The O'Keeffe for Congress campaign is closed. I am, therefore, respectfully and humbly requesting that the FEC eliminate or significantly reduce the \$3500 fine.

Thanks for your consideration. If you have any questions please do not hesitate to contact me. I can be reached by calling \_\_\_\_\_ or via email at \_\_\_\_\_

Sincerely,

  
William Korb

28092614801



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Via First Class Mail

June 11, 2007

William R. Korb, as Treasurer  
O'Keeffe for Congress

Glen Burnie, MD 21061

C00416727  
AF# 1723

Dear Mr. Korb:

On June 11, 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

28092614802

2007 JUN 14 A 10:05

Date: June 14, 2007

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

AF#: 1723

Committee Name: O'Keeffe for Congress

Committee ID#: C00416727

Committee Address (if different than in RTB letter):

Glen Burnie, MD 21061

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

**Attachments:**

**Copy of RTB Circulation Report, dated May 9, 2007 and RTB Certification,  
dated May 15, 2007: Previously Forwarded**

**Attachment #: N/A**

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

**Attachment #: N/A**

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

**Attachment #: N/A**

**RAD Staff Declaration (Y/N): Y**

**-2006 Year End Report Prior Notice, dated December 27, 2006.**

**-Non-Filer Letter, dated February 20, 2007.**

**-RTB Letter, dated May 17, 2007.**

**Attachment #: 2**

**Other RAD Information: (Y/N): Y - Returned RTB Letter, RTB Fax Transmittal**

**Attachment#: 3**

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**DECLARATION OF PATRICIA CARMONA**

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to O'Keeffe for Congress:
  - A) Prior Notice, dated December 27, 2006, referencing the 2006 Year End Report;
  - B) Non-Filer Letter, dated February 20, 2007, referencing the 2006 Year End Report;
  - C) Reason-to-Believe Letter, dated May 17, 2007, referencing the 2006 Year End Report.
3. I hereby certify that I have searched the Commission's public records and find that O'Keeffe for Congress filed the 2006 Year End Report with the Commission on June 7, 2007.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 14th day of June, 2007.



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

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YEAR-END  
**REPORT NOTICE**

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

December 27, 2006

**WHO MUST FILE**

All principal campaign committees of congressional candidates<sup>1</sup> (including unopposed candidates and candidates whose names do not appear on the ballot) must file a Year-End Report on January 31, 2007.<sup>2</sup> Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

**I. 2006 GENERAL ELECTION CANDIDATES**

<b>REPORT</b>	<b>REPORTING PERIOD<sup>3</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

**II. UNSUCCESSFUL 2006 PRIMARY ELECTION CAMPAIGN COMMITTEES AND CANDIDATES NOT ACTIVE IN 2006 ELECTIONS**

<b>REPORT</b>	<b>REPORTING PERIOD<sup>3</sup></b>	<b>REG./CERT. &amp; OVERNIGHT MAILING DATE</b>	<b>FILING DATE</b>
Year-End	10/01/06 - 12/31/06	01/31/07	01/31/07

**NOTE FOR COMMITTEES *NOT REQUIRED* TO FILE A POST-GENERAL ELECTION REPORT – CHART II:**

For candidates who ran in 2006 but did not participate in the general election, the reporting period for the Year-End Report spans two election cycles. For this report only, committees should instead use the Post-Election Detailed Summary Page (FEC Form 3, Pages 5-8). Committees should not use the normal Detailed Summary Page.

<sup>1</sup>An individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports.

<sup>2</sup>If the campaign has more than one authorized committee in addition to the principal campaign committee, the principal campaign committee must also file a consolidated report on Form 3Z.

<sup>3</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.

(over)

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2007 REPORTING SCHEDULE

**REPORTING DATES**

<b>REPORT</b>	<b>REPORTING PERIOD<sup>3</sup></b>	<b>REG./CERT. &amp; OVERNIGHT MAILING DATE</b>	<b>FILING DATE</b>
April Quarterly	01/01/07 - 03/31/07	04/15/07	04/15/07 <sup>4</sup>
July Quarterly	04/01/07 - 06/30/07	07/15/07	07/15/07 <sup>4</sup>
October Quarterly	07/01/07 - 09/30/07	10/15/07	10/15/07
Year-End	10/01/07 - 12/31/07	01/31/08	01/31/08

**METHOD OF FILING**

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

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

**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).
- Please note that principal campaign committees of candidates for the U.S. House and the U.S. Senate must file FEC Form 3Z-1 as part of their July Quarterly and Year-End Reports in the year preceding the year in which the general election for the office sought is held.

**ELECTRONIC FILING**

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

<sup>3</sup>See footnote #3, on reverse side.

<sup>4</sup>Notice that this filing date falls on a weekend. Filing dates are not extended when they fall on nonworking days.

**FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100**

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RO-7

February 20, 2007

William R Korb, Treasurer  
O'keeffe For Congress  
Post Office Box 36  
Linthicum, MD 21090

IDENTIFICATION NUMBER: C00416727

Reference: Year-End Report 10/1/2006 - 12/31/2006

Dear Treasurer:

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

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

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

If you have any questions regarding this matter, please contact Kimberly Doughty at our toll free number (800)424-9530. Our direct local number is (202)694-1130.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Gibson".

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

2703939238992614807



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2007 OCT 22 P 12: 17

October 22, 2007

MEMORANDUM

**SENSITIVE**

To: The Commission

Through: Patrina M. Clark *PK*  
Staff Director

From: John Gibson *JG*  
Chief Compliance Officer

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

By: Jill Sugarman *JS*  
Reviewing Analyst

Subject: AF# 1723 – O’Keeffe for Congress and William R. Korb, as Treasurer  
(C00416727)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the 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

28092614808

October 22, 2007

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

AF# 1723 – O’Keeffe for Congress and William R. Korb, as Treasurer (C00416727)

On May 15, 2007, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2006 Year End Report and made a preliminary determination that the civil money penalty was \$3,500 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on May 17, 2007, of the Commission’s RTB finding and civil money penalty. The letter, sent to the address of record, was returned to the Commission on May 18, 2007 and was resent to them via facsimile on May 29, 2007.

**Respondents’ Response**

On June 11, 2007, the Commission received the written response ("challenge") from the Treasurer who states that his business was sold to another entity soon after the Candidate lost in the September 12 Primary Election. The business transaction was complicated and took much of his time and energy. It was during this stressful period that he failed to file the report. He notes that he was a volunteer and the campaign is now closed. He apologizes for the oversight and respectfully asks that the \$3,500 penalty be waived or reduced.

**Analysis of Challenge**

The Year End Report covering the period from October 1, 2006 to June 30, 2007 was filed on June 7, 2007, 127 days late.

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee shall file a report for the quarter ending December 31 no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on the prescribed filing date to be timely filed. 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).

Two of the factors used to calculate the civil money penalty are the lateness of the report and the level of activity. 11 C.F.R. § 111.43(a)(2), (d) and (e). Because they had not filed the report at the time of the RTB finding, the estimated level of activity (\$88,355) was used to calculate the \$3,500 RTB civil money penalty. The report filed on June 7 is considered not filed for purposes of the civil money penalty calculation. It spans not only the 2006 Year End reporting period, but also the 2007 April Quarterly reporting period and part of the 2007 July Quarterly reporting period. It discloses \$410 in total receipts and \$967 in total disbursements, or a total of \$1,377 for the period from October 1, 2006 through June 30, 2007.

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Some activity on the report is itemized (\$1,105) and shows that it occurred during the Year End reporting period. The remaining activity (\$272) is not itemized and, therefore, could have occurred during any of these reporting periods. Regardless of whether all (\$272) or none (\$0), or even some portion of the unitemized activity occurred during the Year End reporting period, it does not change the level of activity bracket used to calculate the amount of the civil money penalty: the \$1 - \$4,999.99 bracket on the schedule of penalties. This then results in a civil money penalty of \$250.

Negligence and unavailability of the Treasurer are included at 11 C.F.R. § 111.35(d) as examples of circumstances that are not considered reasonably unforeseen and beyond the respondents' control. The other issues raised in the challenge (the Treasurer was a volunteer and the campaign is closed) also do not fall within the list of defenses enumerated at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. The Reviewing Officer, therefore, recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$250 (reduced from the RTB civil money penalty of \$3,500).

#### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 1723 involving O'Keeffe for Congress and William R. Korb, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1723 that O'Keeffe for Congress and William R. Korb, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the level of activity itemized for the 2006 Year End reporting period on the Report filed June 7, 2007 (\$1,105), assess a civil money penalty of \$250 (reduced from the RTB civil money penalty of \$3,500); and
- (3) Send the appropriate letter.

Reviewing Analyst: Jill I. Sugarman

#### Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 – Declaration from RAD, ' Provided with Declaration, Returned Envelope, and Fax Transmittal Sheet

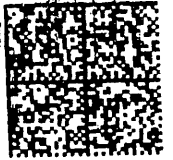
Attachment 3 – Declaration from OAR

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

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL™**



7005 1820 0002 3465 9309



UNITED STATES POSTAGE  
PITNEY BOWES  
02 1A  
0004343720  
MAILED FROM ZIP CODE 20500  
MAY 17 2007  
**\$ 05.210**

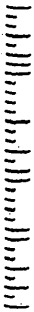
William R. Korb  
O'Keefe for Congress  
Post Office Box 36  
Linthicum, MD 21090

200416777

2109040036

KORB

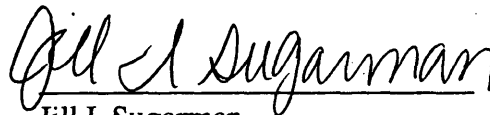
212 NFE 1 207T 00 05/18/07  
RETURN TO SENDER  
BOX CLOSED  
UNABLE TO FORWARD  
RETURN TO SENDER



28092614811

**DECLARATION OF JILL I. SUGARMAN**

- 1) I am the Reviewing Analyst in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Analyst, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The 2006 Year End Report is due January 31, 2007. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on January 31 to be timely filed.
- 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 Page 1 of the Summary Page, Pages 3 and 4 of the Detailed Summary Page, Schedule A for Line 11(d) and Schedule B for Line 17 for the 2006 Year End Report electronically filed by O'Keeffe for Congress and William R. Korb, as Treasurer. According to the Commission's records, the report covers the period from October 1, 2006 through June 30, 2007, and was received on June 7, 2007. Lines 16 and 22 list \$410.00 in total receipts and \$967.64 in total disbursements, respectively, for the reporting period. Schedules A and B list a \$200.00 contribution received from the candidate on October 16, 2006 and a \$905.04 operating expenditure made on October 16, 2006, respectively.
- 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 22<sup>nd</sup> of October, 2007.



Jill I. Sugarman  
Reviewing Analyst  
Office of Administrative Review  
Federal Election Commission

28092614812

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

Office Use Only

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

O'Keeffe For Congress

ADDRESS (number and street) P.O. Box 36

Check if different than previously reported. (ACC)

Linthicum MD 21080

2. FEC IDENTIFICATION NUMBER C00416727 3. IS THIS REPORT x NEW (N) OR AMENDED (A) CITY STATE ZIP CODE STATE DISTRICT MD 3

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
X January 31 Year-End Report (YE)

Termination Report (TER)

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

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

Election on In the State of

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

- General (30G) Runoff (30R) Special (30S)

Election on in the State of

5. Covering Period 10 01 2006 through 06 30 2007

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 Mr. William R Korb

Signature of Treasurer Electronically Filed by Mr. William R Korb Date 06 08 2007

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

Office Use Only

FEC FORM 3 (Revised 02/2005)

28092614813

**DETAILED SUMMARY PAGE**  
of Receipts

FEC Form 3 (Revised 02/2005)

Page 3

Write or Type Committee Name  
O'Keefe For Congress

Report Covering the Period: From: <sup>M M</sup> 1 0 <sup>Y Y Y Y</sup> 0 1 2 0 0 6 To: <sup>M M</sup> 0 6 <sup>Y Y Y Y</sup> 3 0 2 0 0 7

**I. RECEIPTS**

**COLUMN A**  
Total This Period

**COLUMN B**  
Election Cycle-to-Date

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
<b>11. CONTRIBUTIONS (other than loans) FROM:</b>		
<b>(a) Individuals/Persons Other Than Political Committees</b>		
(i) Itemized (use Schedule A).....	0.00	0.00
(ii) Unitemized.....	210.00	0.00
(iii) TOTAL of contributions from individuals.....	210.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACS).....	0.00	0.00
(d) The Candidate.....	200.00	0.00
<b>(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(ii), (b), (c), and (d))</b>	<b>410.00</b>	<b>0.00</b>
<b>12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....</b>	<b>0.00</b>	<b>0.00</b>
<b>13. LOANS</b>		
(a) Made or Guaranteed by the Candidate.....	0.00	0.00
(b) All Other Loans.....	0.00	0.00
<b>(c) TOTAL LOANS (add Lines 13(a) and (b)).....</b>	<b>0.00</b>	<b>0.00</b>
<b>14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....</b>	<b>0.00</b>	<b>0.00</b>
<b>15. OTHER RECEIPTS (Dividends, Interest, etc.).....</b>	<b>0.00</b>	<b>0.00</b>
<b>16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4).....</b>	<b>410.00</b>	<b>0.00</b>

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**DETAILED SUMMARY PAGE**  
of Disbursements


FEC Form 3 (Revised 02/2003)

Page 4

**II. DISBURSEMENTS**

**COLUMN A**  
Total This Period

**COLUMN B**  
Election Cycle-to-Date

17. OPERATING EXPENDITURES.....	967.64	0.00
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
<b>19. LOAN REPAYMENTS:</b>		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
<b>20. REFUNDS OF CONTRIBUTIONS TO:</b>		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) 	967.64	0.00

**III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	1085.94
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	410.00
25. SUBTOTAL (add Line 23 and Line 24).....	1495.94
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	967.64
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	528.30

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**SCHEDULE A (FEC Form 3 )  
ITEMIZED RECEIPTS**

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

FOR LINE NUMBER: PAGE 6/7

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input checked="" type="checkbox"/> 11d	<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14	<input type="checkbox"/> 15
------------------------------	------------------------------	------------------------------	---	-----------------------------	------------------------------	------------------------------	-----------------------------	-----------------------------

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)

O'Keeffe For Congress

Full Name (Last, First, Middle Initial)

A. Kevin S O'Keeffe

Mailing Address 3-BH West Lee Street

City State Zip Code

Baltimore MD 21201

FEC ID number of contributing federal political committee.

C

Name of Employer  
Self

Occupation

Political Candidate

Election Cycle-to-Data ▼

Receipt For: 2006  
X Primary General  
Other (specify) ▼

200.00

Date of Receipt

10 16 2006

Transaction ID: SA11D.5888

Amount of Each Receipt this Period

200.00

Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(f)(4)41a-1)

SUBTOTAL of Receipts This Page (optional) ▶

200.00

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

200.00

28092614816

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

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

FOR LINE NUMBER:  
(check only one)

PAGE 7 / 7

<input checked="" type="checkbox"/>	17	<input type="checkbox"/>	18	<input type="checkbox"/>	19a	<input type="checkbox"/>	19b
	20a	<input type="checkbox"/>	20b	<input type="checkbox"/>	20c	<input type="checkbox"/>	21

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)

O'Keeffe For Congress

Full Name (Last, First, Middle Initial)

A. Precision Communication Enterprises, Inc.

Mailing Address 8601 Georgia Avenue  
Suite 806

City Silver Spring State MD Zip Code 20910

Purpose of Disbursement  
Automated Telephone

Candidate Name

Office Sought: House  
Senate  
President

Disbursement For: 2006  
X Primary General  
Other (specify) ▼

State: District

003  
Category/  
Type

Transaction ID: SB17.5694

Date of Disbursement

10 / 16 / 2006

Amount of Each Disbursement this Period

905.04

Refund or Disposal of Excess  
Contributions Required Under  
11 C.F.R. 400.53

SUBTOTAL of Disbursements This Page (optional) ▶

005.04

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

905.04

28092614817



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

October 23, 2007

William R. Korb, as Treasurer  
O'Keeffe for Congress  
12 Vista Avenue  
Glen Burnie, MD 21061

C00416727  
AF# 1723

Dear Mr. Korb:

On May 15, 2007, the Federal Election Commission ("Commission") found reason to believe ("RTB") that O'Keeffe for Congress and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2006 Year-End Report. The Commission also made a preliminary determination that the civil money penalty was \$3,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

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

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

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

Sincerely,

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

Jill I. Sugarman  
Reviewing Analyst  
Office of Administrative Review

Attachment

28092614818



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2007 NOV -2 A 10: 24

**SENSITIVE**

November 2, 2007

**MEMORANDUM**

To: The Commission

Through: Patrina M. Clark *[Signature]*  
Staff Director

From: John D. Gibson *[Signature]*  
Chief Compliance Officer

Shawn Woodhead Werth *[Signature]*  
Reviewing Officer  
Office of Administrative Review

By: Jill I. Sugarman *[Signature]*  
Reviewing Analyst

Subject: Final Determination Recommendation in AF# 1723 – O’Keeffe for Congress and William R. Korb, as Treasurer (C00416727)

On May 15, 2007, the Commission found reason to believe that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2006 Year End Report. Because they had not filed the report, the Commission made a preliminary determination, using the estimated level of activity, that the civil money penalty was \$3,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

On June 7, 2007, the Commission received the Year-End Report covering the period from October 1, 2006 through June 30, 2007, which spans not only the Year-End reporting period, but also the 2007 April and July Quarterly reporting periods. The report discloses \$410 in total receipts and \$967 in total disbursements. Of the activity itemized on the report, a total of \$1,105 occurred during the Year End reporting period. The remaining activity of \$272 is unitemized and could have occurred during any of the reporting periods. Regardless of whether all (\$272), none, or even some portion of the unitemized activity occurred during the Year End reporting period, it does not change the level of activity bracket used to calculate the amount of the civil money penalty, the \$1 - \$4,999.99 bracket on the schedule of penalties. This results in a civil money penalty of \$250.

On June 11, 2007, the Commission received the respondents’ written response (“challenge”). After reviewing the challenge, the Reviewing Officer’s recommendation dated October 22, 2007 was forwarded to the Commission, a copy was sent to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission

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make a final determination that they violated 2 U.S.C. § 434(a) and based on the actual level of activity itemized for the Year-End reporting period (\$1,105), assess a civil money penalty of \$250 because they submitted no evidence that the RTB finding was based on factual errors, that the civil money penalty was improperly calculated at RTB, or that they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances.

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) Adopt the Reviewing Officer's recommendation for AF# 1723 involving O'Keeffe for Congress and William R. Korb, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1723 that O'Keeffe for Congress and William R. Korb, as Treasurer, violated 2 U.S.C. § 434(a) and based on the level of activity itemized for the 2006 Year End reporting period on the Report filed June 7, 2007 (\$1,105), assess a civil money penalty of \$250 (reduced from the RTB civil money penalty of \$3,500); and
- (3) Send the appropriate letter.



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Friday, November 02, 2007 12:00

BALLOT DEADLINE: Wednesday, November 07, 2007 4:00

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

SUBJECT: **Final Determination Recommendation in  
AF 1723 – O’Keeffe for Congress and William  
R. Korb, as Treasurer (C00416727) Memorandum  
from the Chief Compliance Officer and the Reviewing  
Officer dated November 2, 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

028092614821

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 1723  
Final Determination Recommendation - )  
O'Keeffe for Congress and William R. )  
Korb, as Treasurer (C00416727) )

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on November 14, 2007, do hereby certify that the Commission decided by a vote of 4-0, on an amended pre-meeting tally, to take the following actions in AF #1723:

1. Adopt the Reviewing Officer's recommendation for AF #1723 involving O'Keeffe for Congress and William R. Korb, as Treasurer, in making the final determination.
2. Make a final determination in AF #1723 that O'Keeffe for Congress and William R. Korb, as Treasurer, violated 2 U.S.C. § 434(a) and based on the level of activity itemized for the 2006 Year End reporting period on the Report filed June 7, 2007 (\$1,105), assess a civil money penalty of \$250 (reduced from the RTB civil money penalty of \$3,500).
3. Send the appropriate letter.

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

Attest:

November 14, 2007  
Date

Darlene Harris  
Darlene Harris  
Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 16, 2007

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William R. Korb, as Treasurer  
O'Keeffe for Congress

Glen Burnie, MD 21061

ID# C00416727  
AF# 1723

Dear Mr. Korb:

On May 15, 2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that O'Keeffe for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2006 Year End Report. By letter dated May 17, 2007, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$3,500 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On June 11, 2007, the Office of Administrative Review received the written response from you challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated on an estimated level of activity, make a final determination that O'Keeffe for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity itemized for the 2006 Year End reporting period on the Report filed June 7, 2007 (\$1,105), assess a civil money penalty in the amount of \$250 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on October 23, 2007.

On November 14, 2007, the Commission adopted the Reviewing Officer's recommendation, made a final determination that O'Keeffe for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) and based on the level of activity itemized for the 2006 Year End reporting period (\$1,105), assessed a civil money penalty of \$250 (reduced from the RTB civil money penalty of \$3,500). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the final determination memorandum is attached.

**To Pay the Civil Money Penalty**

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

20071925092

**If You Do Not Pay the Civil Money Penalty**

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

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

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

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

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

Sincerely,



Robert D. Lenhard  
Chairman

Attachment

2019092614824

-----  
**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$250 for the 2006 Year End Report.

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

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

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

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

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

**PAYMENTS BY PERSONAL CHECK**

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

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
-----

FOR: O'Keefe for Congress

FEC ID#: C00416727

AF#: 1723

PAYMENT AMOUNT DUE: \$250

28092514825

FOR: O'Keeffe for Congress

FEC ID#: C00416727

AF#: 1723

PAYMENT AMOUNT DUE: \$250

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 001 \$ 000025000 BA# 1 12-18-07 20 4



128992614826



*Bank of America Advantage*

WILLIAM R. KORB 3144

*[Redacted]* Date 12-18-07 7-183/520 MD 8139

Pay FEDERAL ELECTRIC COMMISSION \$1250.00

to the order of Two Hundred Fifty dollars and 00/100 Dollars

**Bank of America**

ACH R/T 052001633

Memo C00416727 AF# 1723 *Advantage*

*[Redacted]*



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1723

DATE SCANNED 2-12-08

SCANNER NO. 2

SCAN OPERATOR JmW

201026002