



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1737

DATE SCANNED 2-12-08

SCANNER NO. 2

SCAN OPERATOR JmD

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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FEDERAL ELECTION
COMMISSION
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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 MICHUAUD	\$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 BLANTON	BLANTON, BRAD	JUSTIN BURGHARD	\$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	C00427299	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	ELEMO 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	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	WIELARD STEPHEN HAYNES	\$121,238	0		Not Filed	\$40,413 (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	KANINO FOR CONGRESS	KANINO, JOHN	LEE NEVES	\$294,299	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 O'NEIL	\$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	\$115,428	1		Not Filed	\$16,489 (est)	\$625
1725	C00422329	OSTROW FOR CONGRESS	OSTROW, PAUL TIMOTHY	SUSAN H. HANNA	\$459,687	0	3/5/2007	Not Filed	\$38,560	\$900
1726	C00412742	PAUL R. NELSON FOR CONGRESS COMMITTEE	NELSON, PAUL R	JEFF ANDERSON	\$492,389	0		Not Filed	\$61,645 (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	\$231,592	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 HEARY PAC		JOHN LEBOUEFFER	\$106,808	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	TRAN NGUYEN FOR CONGRESS	NGUYEN, TAND	TRAN 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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Federal Election Commission
Certification for Administrative Fines
May 15, 2007

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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Federal Election Commission
Certification for Administrative Fines
May 15, 2007

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

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

28092614842



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 17, 2007

Charles McClurg
Zinga for Congress
P.O. Box 1222
Moline, IL 61266

C00393868
AF#: 1737

Dear Charles McClurg:

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 Zinga 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: \$83,353
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 and prevented you from filing the report in a timely manner. Your response must include the

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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

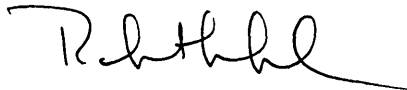
If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Zinga for Congress and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

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

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

Additional information on the FEC's administrative fine program, including the final regulations, is located at the FEC's website at www.FEC.gov. If you have questions regarding the payment of the calculated civil money penalty, please contact 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

26092614845

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: Zinga for Congress

FEC ID#: C00393868

AF#: 1737

PAYMENT DUE DATE: 6/24/2007

PAYMENT AMOUNT DUE: \$3,500

20092614046

Charles McClurg
Zinga for Congress
PO Box 1122
Moline, il. 61286

June 22, 2007

Federal Election Commission
Office of Administrative Review
999 E. St., NW
Washington, D.C. 20463

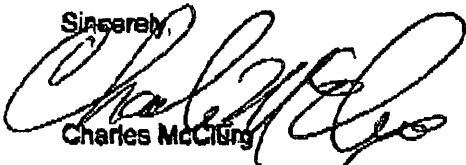
Re: AF#: 1737

Gentlemen,

I am challenging this determination on three grounds:

- 1) The level of activity is listed at \$83,353. I don't know how you came up with that, but we received \$0 in contributions after the post-election report.
- 2) I realize you don't accept any computer or software problems as reasons. But we believed we had filed. In May we refiled after talking with an analyst. When we did, the site made us refile both the post-election report AND the pre-election report again as if they had never been filed. I know they had been because we had talked to analysts before about each of them. My point is that I suspect the problem might have been on your end rather than ours.
- 3) I did not get this notice until Friday, June 22, 2007 - a mere two days before a response was required. Our former campaign manager, Charlie Johnston, came home from work to find it in his doorway on the evening of Wednesday, June 20, 2007.

Sincerely,



Charles McClurg

2007 JUN 25 A 10:04

RECEIVED

28092614847



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

June 25, 2007

Charles McClurg, as Treasurer
Zinga for Congress
P.O. Box 1222
Moline, IL 61266

C00393868
AF# 1737

Dear Mr. McClurg:

On June 25, 2007, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

Jill I Sugarman

Jill I. Sugarman
Reviewing Analyst
Office of Administrative Review

28092614848

Date: June 28, 2007

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

AF#: 1737

Committee Name: Zinga for Congress

Committee ID#: C00393868

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 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 Notice, dated February 20, 2007.

-RTB Letter, dated May 17, 2007.

Attachment #: 2

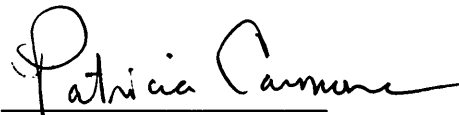
Other RAD Information: (Y/N): Y – Returned RTB Letter, Copy of Original RTB Certified Mail Receipt, RTB Re-mail Tracking Info.

Attachment#: 3

28092614849

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 Zinga 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 Zinga for Congress filed the 2006 Year End Report with the Commission on May 22, 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 28th day of June, 2007.



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

28092614850

YEAR-END
REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

December 27, 2006

WHO MUST FILE

All principal campaign committees of congressional candidates¹ (including unopposed candidates and candidates whose names do not appear on the ballot) must file a Year-End Report on January 31, 2007.² 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

REPORT	REPORTING PERIOD³	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
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

REPORT	REPORTING PERIOD³	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
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.

¹An 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.

²If 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.

³These 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

REPORT	REPORTING PERIOD³	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
April Quarterly	01/01/07 - 03/31/07	04/15/07	04/15/07 ⁴
July Quarterly	04/01/07 - 06/30/07	07/15/07	07/15/07 ⁴
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.
- 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/electfil/electron.shtml.

³See footnote #3, on reverse side.

⁴Notice 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

26092614852



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

February 20, 2007

Mcclurg, Charles, Treasurer
Zinga For Congress
P.O. Box 1222
Moline, IL 61266

IDENTIFICATION NUMBER: C00393868

Reference: Year-End Report 11/28/2006 - 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.

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

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

Sincerely,

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

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

270393-28092614853



TrackingUpdates@fedex.co
 m
 06/28/2007 01:51 PM

To undisclosed-recipients;;
 cc
 bcc

Subject Online FedEx Tracking - 705584300576

 This tracking update has been requested by:
 Name: Reggie Watts
 E-mail: rwatts@fec.gov
 Message: Here you go Zinga for Congress

Tracking number 705584300576
 Ship date Jun 13, 2007
 Delivered to Residence
 Destination MUNDLINE, IL
 Delivery date Jun 14, 2007 11:20 AM
 Signed for by Signature release on file
 Service type Priority Envelope

Tracking results as of Jun 28, 2007 12:51 PM CST

Date/Time	Location/Activity
Jun 14, 2007 11:20 AM	MUNDLINE, IL/Delivered
8:03 AM	WAUKEGAN, IL/On FedEx vehicle for delivery
7:30 AM	WAUKEGAN, IL/At local FedEx facility
6:37 AM	CHICAGO, IL/At dest sort facility
5:08 AM	CHICAGO, IL/Arrived at FedEx location
5:15 AM	INDIANAPOLIS, IN/Departed FedEx location
Jun 13, 2007 9:38 PM	WASHINGTON, DC/Left origin
4:37 PM	WASHINGTON, DC/Picked up
12:35 PM	/Package data transmitted to FedEx

Disclaimer

 This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the request and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

28092614854



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 OCT 24 P 3: 10

October 24, 2007

SENSITIVE

MEMORANDUM

To: The Commission

Through: Patrina M. Clark *pmc*
Staff Director

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

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

Subject: AF# 1737 – Zinga for Congress and Charles McClurg, as Treasurer
(C00393868)

The respondents' challenge for this case was due after the April 30, 2007 effective date of the revised administrative fine regulations. The Office of General Counsel informed this Office that if the respondents' challenge is due after the April 30 effective date, the new rules apply. The Reviewing Officer's recommendation, therefore, is based on the new rules.

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 written responses within 10 days of transmittal of the recommendations.

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

Attachment

28092614855



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 24, 2007

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

AF# 1737 – Zinga for Congress and Charles McClurg, as Treasurer (C00393868)

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 June 12, 2007 and resent to 25337 N. Diamond Lake Road, Mundline, IL 60060 on the following day.

Respondents' Response

On June 25, 2007, the Commission received the written response ("challenge") from the Treasurer stating that he is challenging the RTB finding for three reasons. They are:

- he had to re-file the Pre-General, Post-General and Year End Reports because they were not received due to, he suspects, a technological error at the FEC. Per analyst instructions, he re-filed the Year End Report in May and also had to re-file the Pre- and Post-General Reports although an analyst had previously confirmed receipt of these reports;
- Charlie Johnston, the Committee's former Campaign Manager, did not receive the RTB Letter until June 20 and delivered it to the Treasurer two days before a response was due; and
- the level of activity of \$83,353 is incorrect, as they received \$0 in contributions after the Post-General Report.

Analysis

The Year End Report was filed on May 22, 2007, 111 days late. There is no indication that the report was filed on a date earlier than May 22.

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending December 31 no later than January 31. 2 U.S.C. § 434 (a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Political committees required to file reports with the Commission must file in an electronic format if they received or expect to receive contributions or made or expect to make expenditures in a calendar year aggregating in excess of \$50,000. 2 U.S.C. § 434(a)(11) and 11 C.F.R. § 107.18(a). The treasurer is personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

The respondents were twice notified after the report's due date that it had not been filed: in the February 1 email sent to charliej373@att.net and in the February 20 Non-Filer Notice. There is no indication from the Electronic Filing Office ("EFO") logs or RAD telecoms (written statements of telephone conversations) that they took any action at that time to file it.

The Treasurer says that they spoke to an analyst regarding the Pre-General, Post-General, and Year End Reports, a conversation triggered him to file the Year End Report, and they were

required to re-file the Pre- and Post-General Reports although they had previously filed them. Commission records show that they filed the Pre-and Post-General Reports on time. Requests for Additional Information ("RFAIs") were sent on February 20 for these reports, with response due dates of March 22. On the same date, RAD sent them the Non-Filer Notice. According to the EFO logs and RAD telecons, the only conversation occurred on March 26 between Mr. Johnston and the RAD Analyst. The telecom does not state which reports and letters were discussed, but it appears that the conversation concerned the RFAIs. On May 22, they amended the Post-General Report (but not the Pre-General Report) and filed the Year End Report.

With respect to the Treasurer's receipt of the RTB Letter, it was sent to him at the Committee's address of record, returned to the Commission on June 12, re-sent to Mr. Johnston the next day per his instructions, and delivered (according to FedEx tracking results) on June 14; therefore, the delay in receipt is attributable to the Committee for not providing a current address of record. The Treasurer was still able to timely submit the challenge.

Because no report was received at the time of the RTB finding, the Commission estimated the level of activity for the Year End reporting period to be \$83,353, resulting in a \$3,500 civil money penalty. 11 C.F.R § 111.43(a)(2)(ii) and (e). The Year End Report filed on May 22, 2007 discloses \$0 in receipts and \$0 in disbursements. Since the schedule of penalties at 11 C.F.R. § 111.43(a)(2)(iii) only provides for civil money penalties if the level of activity is \$1.00 or more, no civil money penalty should be assessed in this case.

Their challenge fails to address any of the three valid excuses 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. Therefore, the Reviewing Officer recommends that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$3,500).

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 1737 involving Zinga for Congress and Charles McClurg, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1737 that Zinga for Congress and Charles McClurg, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Year-End Report (\$0), assess a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$3,500); and
- (3) Send the appropriate letter.

Attachments

- Attachment 1 – Challenge Received from Respondents
- Attachment 2 –

- Attachment 3 – Declaration from RAD,
Regarding the RTB Letter
- Attachment 4 – Declaration from OAR

Declaration, and Information

28092614857

Charles McClurg
Zinga for Congress
PO Box 1122
Moline, IL 61286

June 22, 2007

Federal Election Commission
Office of Administrative Review
999 E. St., NW
Washington, D.C. 20463

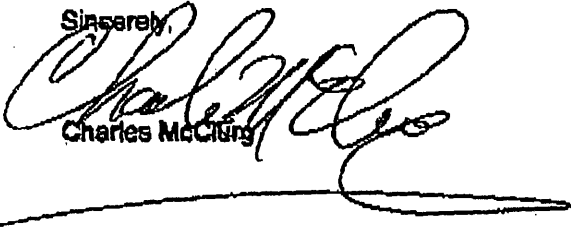
Re: AFR: 1737

Gentlemen,

I am challenging this determination on three grounds:

- 1) The level of activity is listed at \$93,353. I don't know how you came up with that, but we received \$0 in contributions after the post-election report.
- 2) I realize you don't accept any computer or software problems as reasons. But we believed we had filed. In May we refiled after talking with an analyst. When we did, the site made us refile both the post-election report AND the pre-election report again as if they had never been filed. I know they had been because we had talked to analysts before about each of them. My point is that I suspect the problem might have been on your end rather than ours.
- 3) I did not get this notice until Friday, June 22, 2007 - a mere two days before a response was required. Our former campaign manager, Charlie Johnston, came home from work to find it in his doorway on the evening of Wednesday, June 20, 2007.

Sincerely,



Charles McClurg

2007 JUN 25 A 10:04

Handwritten mark

2809261A858



TrackingUpdates@fedex.co
 m
 06/28/2007 01:51 PM

To undisclosed-recipients;;
 cc
 bcc

Subject Online FedEx Tracking - 705584300576

 This tracking update has been requested by:
 Name: Reggie Watts
 E-mail: rwatts@fec.gov
 Message: Here you go Zinga for Congress

Tracking number 705584300576
 Ship date Jun 13, 2007
 Delivered to Residence
 Destination MUNDLINE, IL
 Delivery date Jun 14, 2007 11:20 AM
 Signed for by Signature release on file
 Service type Priority Envelope

Tracking results as of Jun 28, 2007 12:51 PM CST

Date/Time	Location/Activity
Jun 14, 2007 11:20 AM	MUNDLINE, IL/Delivered
8:03 AM	WAUKEGAN, IL/On FedEx vehicle for delivery
7:30 AM	WAUKEGAN, IL/At local FedEx facility
6:37 AM	CHICAGO, IL/At dest sort facility
5:08 AM	CHICAGO, IL/Arrived at FedEx location
5:15 AM	INDIANAPOLIS, IN/Departed FedEx location
Jun 13, 2007 9:38 PM	WASHINGTON, DC/Left origin
4:37 PM	WASHINGTON, DC/Picked up
12:35 PM	/Package data transmitted to FedEx

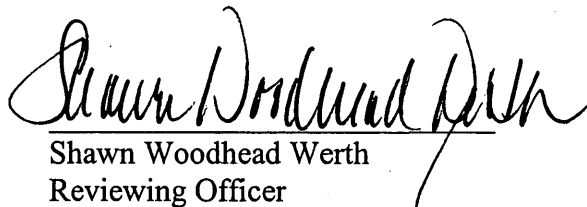
Disclaimer

 This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the request and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

28092614859

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 the research conducted 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 true and accurate copies of:
 - (a) Page 1 of the Summary Page for the 2006 12 Day Pre- and 30 Day Post-General Reports filed electronically by Zinga for Congress and Charles McClurg, as Treasurer. According to Commission records, the reports were received on October 26 and December 9, 2006;
 - (b) Requests for Additional Information sent to Zinga for Congress and Charles McClurg, as Treasurer. According to Commission records, the Requests are dated February 20, 2007 and reference the 12 Day Pre- and 30 Day Post-General Reports. In bold type on the first page of each Request it states that the response due date is March 22, 2007;
 - (c) Page 1 of the Summary Page for the amended 2006 30 Day Post-General Report filed electronically by Zinga for Congress and Charles McClurg, as Treasurer. According to Commission records, the report was received on May 22, 2007; and
 - (d) Page 1 of the Summary Page and Page 4 of the Detailed Summary Page of the 2006 Year End Report filed electronically by Zinga for Congress and Charles McClurg, as Treasurer. According to Commission records, the report covers the period from November 28 through December 31, 2006 and was received on May 22, 2007. Lines 24 and 26 list \$0.00 in total receipts and total disbursements, respectively, for this period.
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 24th of October, 2007.



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

28092614860

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

ZINGA FOR CONGRESS

ADDRESS (number and street) P.O. Box 1222 PO BOX 1222 Moline IL 61268

2. FEC IDENTIFICATION NUMBER C00393868 3. IS THIS REPORT NEW (N) OR AMENDED (A) CITY A STATE A ZIP CODE A STATE DISTRICT

4. TYPE OF REPORT (Choose One) (a) Quarterly Reports: April 15 Quarterly Report (Q1) July 15 Quarterly Report (Q2) October 15 Quarterly Report (Q3) January 31 Year-End Report (YE) Termination Report (TER) (b) 12-Day PRE-Election Report for the: Primary (12P) General (12G) Runoff (12R) Convention (12C) Special (12S) Election on 11 07 2006 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 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 Mr. Charles McClurg

Signature of Treasurer Electronically Filed by Mr. Charles McClurg Date 10 26 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.

28092614861

**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

ZINGA FOR CONGRESS

ADDRESS (number and street) P.O. Box 1222
 Check if different than previously reported. (ACC) PO BOX 1222
 Moline IL 61268

2. FEC IDENTIFICATION NUMBER C00393868
 CITY A STATE A ZIP CODE A STATE DISTRICT
 3. IS THIS REPORT x NEW (N) OR AMENDED (A)
 IL 17

4. TYPE OF REPORT (Choose One)
 (a) Quarterly Reports:
 April 15 Quarterly Report (Q1)
 July 15 Quarterly Report (Q2)
 October 15 Quarterly Report (Q3)
 January 31 Year-End Report (YE)
 Termination Report (TER)

(b) 12-Day PRE-Election Report for the:
 Primary (12P) General (12G) Runoff (12R)
 Convention (12C) Special (12S)
 Election on In the State of
 (c) 30-Day POST-Election Report for the:
 X General (30G) Runoff (30R) Special (30S)
 Election on 11 07 2006 in the State of IL

5. Covering Period 10 19 2006 through 11 27 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 Mr. Charles McClurg
 Signature of Treasurer Electronically Filed by Mr. Charles McClurg Date 11 09 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.

28092614862



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 20, 2007

Charles McClurg, Treasurer
Zinga for Congress
Post Office Box 1222
Moline, IL 61266

Response Due Date:
March 22, 2007

Identification Number: C00393868

Reference: 12 Day Pre-General Report (10/1/06 – 10/18/06)

Dear Mr. McClurg:

This letter is prompted by the Commission's further review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule A of your report discloses one or more contributions received after the Primary Election that are designated for the Primary. These contributions may only be accepted to the extent that the committee has net debts outstanding from the Primary Election. (11 CFR § 110.1(b)(3)(i))

A contribution is considered made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR § 110.1(b)(6))

If any contribution in question was incompletely or incorrectly reported, you must amend your original report with the clarifying information.

If a contribution exceeds the amount of net debts outstanding from the Primary Election, you may have to refund or redesignate the contribution.

2703939 28092614863

The funds can be retained if within sixty (60) days of receipt the excessive amount was properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election, or (2) the committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B))

If the foregoing conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded. Sec 11 CFR § 103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters redesignating the contributions in question. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR § 104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or redesignate the excessive amount will be taken into consideration.

Please note you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather

070303978092614864

Zinga for Congress
Page 3 of 3

than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1167.

Sincerely,



Karen J. Balderama
Senior Campaign Finance Analyst
Reports Analysis Division

490

2703939 P5092614865



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 20, 2007

Charles McClurg, Treasurer
Zinga for Congress
Post Office Box 1222
Moline, IL 61266

**Response Due Date:
March 22, 2007**

Identification Number: C00393868

Reference: 30 Day Post-General Report (10/19/06 - 11/27/06)

Dear Mr. McClurg:

This letter is prompted by the Commission's further review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-On the Post-Election Detailed Summary Page of your report, you have incorrectly disclosed the General Election date as 9/30/06. Using an incorrect date of election will result in incorrect figures for Columns B and C of the Post-Election Detailed Summary Page. The General Election was held on 11/7/06. Please amend your report to include the correct General Election date. (11 CFR §§ 104.2(a) and 104.3)

Please note you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please

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contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1167.

Sincerely,



Karen J. Balderama
Senior Campaign Finance Analyst
Reports Analysis Division

490

2703939:28092614867

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

ZINGA FOR CONGRESS

ADDRESS (number and street) P.O. Box 1222
PO BOX 1222
Moline IL 61268

Check if different than previously reported. (ACC)

2. FEC IDENTIFICATION NUMBER C00393868
CITY A STATE A ZIP CODE A STATE DISTRICT
3. IS THIS REPORT NEW (N) OR X AMENDED (A)
IL 17

4. TYPE OF REPORT (Choose One)
(a) Quarterly Reports:
April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
January 31 Year-End Report (YE)
Termination Report (TER)

(b) 12-Day PRE-Election Report for the:
Primary (12P) General (12G) Runoff (12R)
Convention (12C) Special (12S)
Election on In the State of
(c) 30-Day POST-Election Report for the:
X General (30G) Runoff (30R) Special (30S)
Election on 11 07 2006 in the State of IL

5. Covering Period 10 19 2006 through 11 27 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 Mr. Charles McClurg

Signature of Treasurer Electronically Filed by Mr. Charles McClurg Date 05 22 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.

28092614868

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

ZINGA FOR CONGRESS

ADDRESS (number and street)

P.O. Box 1222

Check if different than previously reported. (ACC)

PO BOX 1222

Mplne

IL

61268

2. FEC IDENTIFICATION NUMBER

CITY A

STATE A

ZIP CODE A

STATE DISTRICT

C00393868

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

IL

17

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 11 28 2006 through 12 31 2006

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

Type or Print Name of Treasurer Mr. Charles McClurg

Signature of Treasurer Electronically Filed by Mr. Charles McClurg Date 05 22 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 02/2003)

28092614869

**POST ELECTION DETAILED
SUMMARY PAGE**
Report of Receipts and Disbursements

6 / 6

FEC Form 3 (Revised 02/2003)

Page 2

COLUMN A Total this period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	Total for * Through *	COLUMN C (date after general election) (last day of reporting period) (* See page 5 for date)
(e) Other political committees (such as PACs)			
0.00	0.00		0.00
(d) TOTAL CONTRIBUTION REFUNDS (See Lines 20(a), (b) and (c))			
0.00	0.00		0.00
21. OTHER DISBURSEMENTS			
0.00	0.00		0.00
22. TOTAL DISBURSEMENTS (add lines 17, 18, 19(c), 20(d), and 21)			
0.00	314132.30		0.00

III. NET CONTRIBUTIONS (OTHER THAN LOANS)

(Note: Substitute in lieu of Line #8 of Summary Page for this report only; subtract line 20(d) from Line 11(e))

0.00	154807.86	0.00
------	-----------	------

IV. NET OPERATING EXPENDITURES

(Note: Substitute in lieu of Line #7 of Summary Page for this report only; subtract line 14 from Line 17)

0.00	314132.30	0.00
------	-----------	------

V. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD	22458.90
24. TOTAL RECEIPTS AT THIS PERIOD (from Line 18).....	0.00
25. SUBTOTAL (add Line 23 and Line 24)	22458.90
26. TOTAL DISBURSEMENTS AT THIS PERIOD (from Line 22).....	0.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (Subtract Line 26 from Line 25).....	22458.90

28092614870



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

October 25, 2007

Charles McClurg, as Treasurer
Zinga for Congress
P.O. Box 1222
Moline, Illinois 61266

C00393868
AF# 1737

Dear Mr. McClurg:

On May 15, 2007, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Zinga 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 black ink, appearing to read "Shawn Woodhead Werth".

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

Attachment

28092614871



RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2007 NOV 27 P 3: 34

November 26, 2007

MEMORANDUM

SENSITIVE

To: The Commission

Through: Patrina M. Clark *mc*
Staff Director

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

Shawn Woodhead *SW*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 1737 – Zinga for Congress
and Charles McClurg, as Treasurer (C00393868)

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 May 22, 2007, the respondents filed the Year End Report, 111 days late. It discloses \$0 in total receipts and \$0 in total disbursements. Since the report indicates that the Committee had no activity during the 2006 Year End reporting period and the schedule of penalties at 11 C.F.R. § 111.43(a)(2) only provides for civil money penalties if the level of activity is \$1.00 or more, no civil money penalty would have been assessed had the report been filed prior to the RTB finding.

On June 25, 2007, the Commission received the respondents' written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated October 24, 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 make a final determination that they violated 2 U.S.C. § 434(a) and based on the actual level of activity for the Year End reporting period (\$0), assess a civil money penalty of \$0 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.

28092614872

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 recommendation for AF# 1737 involving Zinga for Congress and Charles McClurg, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1737 that Zinga for Congress and Charles McClurg, as Treasurer, violated 2 U.S.C. § 434(a) and based on the actual level of activity disclosed on the Year End Report filed May 22, 2007 (\$0), assess a civil money penalty of \$0 (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: Tuesday, November 27, 2007 4:00

BALLOT DEADLINE: Friday, November 30, 2007 4:00

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

SUBJECT: **Final Determination Recommendation in
AF 1737 – Zinga for Congress and Charles
McClurg, as Treasurer (C00393868)
Memorandum from the Chief Compliance
Officer and the Reviewing Officer dated
November 26, 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

2809261487A

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 1737
Zinga for Congress and Charles)
McClurg, as Treasurer (C00393868))

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on November 30, 2007, the Commission decided by a vote of 5-0 to take the following actions in AF 1737:

1. Adopt the Reviewing Officer recommendation for AF 1737 involving Zinga for Congress and Charles McClurg, as Treasurer, in making the final determination, as recommended in the Reviewing Officer's Memorandum dated November 26, 2007.
2. Make a final determination in AF 1737 that Zinga for Congress and Charles McClurg, as Treasurer, violated 2 U.S.C. § 434(a) and based on the actual level of activity disclosed on the Year End Report filed May 22, 2007 (\$0), assess a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$3,500).
3. Send the appropriate letter.

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

Attest:

November 30, 2007
Date

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

28092614875



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 5, 2007

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles McClurg, as Treasurer
Zinga for Congress
P.O. Box 1222
Moline, IL 61266

C00393868
AF# 1737

Dear Mr. McClurg:

On May 15, 2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Zinga 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 25, 2007, the Office of Administrative Review received your written response challenging the RTB civil money penalty.

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 Zinga for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Year End Report filed May 22, 2007 (\$0), assess a civil money penalty of \$0 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on October 25, 2007.

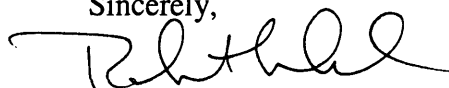
On November 30, 2007, the Commission adopted the Reviewing Officer's recommendation, made a final determination that Zinga for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a), and based on the actual level of activity on the Year End Report (\$0) assessed a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$3,500). It is based on the same factors used to calculate the RTB civil money penalty except that the actual rather than estimated level of activity was used. A copy of the final determination memorandum is attached.

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

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

Sincerely,



Robert D. Lenhard
Chairman

Attachment

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FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1737

DATE SCANNED

2-12-08

SCANNER NO.

2

SCAN OPERATOR

JMP

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