



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1764

DATE SCANNED 10-31-08

SCANNER NO. 1

SCAN OPERATOR JMS

28092620490



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 DEC -4 P 4: 07
December 4, 2007

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *JF*
STAFF DIRECTOR

FROM: JOHN D. GIBSON *JG*
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *ms* NATALIYA IOFFE/ *DR* RHIANNON RYAN/CHRIS RITCHIE *CR*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2007 OCTOBER
QUARTERLY REPORT FOR THE ADMINISTRATIVE FINE
PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2007 October Quarterly Report in accordance with 2 U.S.C. 434(a). The October Quarterly Report was due on October 15, 2007.

The committees listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date. In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the 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.
2. Send the appropriate letters.

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Federal Election Commission
Reason to Believe Circulation Report
2007 OCTOBER QUARTERLY Not Election Sensitive 10/15/2007 H_S_P

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1764	C00396028	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	WILLIAM A. LAWSON	\$151,558	5	11/14/2007	30	\$88,326	\$7,650

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation –) AF 1764
2007 October Quarterly Report for the)
Administrative Fine Program: Al Green)
for Congress and William A. Lawson, as)
treasurer)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on December 11, 2007, the Commission decided by a vote of 5-0 to take the following actions in AF 1764:

1. Find reason to believe that Al Green for Congress and William A. Lawson, as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be in the amount of \$7,650.
2. Send the appropriate letters.

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

Attest:

December 11, 2007
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 2007

William A. Lawson
Al Green for Congress
P.O. Box 20174
Houston, TX 77225

C00396028
AF#: 1764

Dear William A. Lawson:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through September 30th, shall be filed no later than October 15th. 2 U.S.C. 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on 11/14/2007, 30 days late.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 12/11/2007, the FEC found that there is reason to believe ("RTB") that Al Green for Congress and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before October 15th. Based on the FEC's schedules of civil money penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at the RTB stage is \$7,650. It is due by 1/20/2008 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$88,326
Number of Days Late: 30
Number of Previous Civil Money Penalties Assessed: 5

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 4. 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 1/20/2008. Your written response must include the reason(s) why you are challenging the RTB

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finding and/or calculated civil money penalty. The FEC will only consider challenges that are based on a factual error in the RTB finding; miscalculation of the calculated civil money penalty by the FEC; or your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, a failure of Commission computers or Commission-provided software despite you seeking technical assistance from Commission personnel and resources; a widespread disruption of information transmissions over the Internet that is not caused by the Commission's or your computer systems or Internet service provider; and severe weather or other disaster-related incident. **Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, negligence; delays caused by vendors or contractors; treasurer and staff illness, inexperience or unavailability; committee computer, software, or internet service provider failures; failure to know filing dates; and failure to use filing software properly.** 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. 11 C.F.R. 111.35.

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

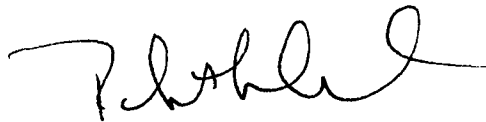
Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. 3701 et seq. The FEC may take any and all appropriate action authorized and required by the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

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Additional information on the FEC's administrative fine program, including the final regulations, is located at the FEC's website at www.FEC.gov. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiannon Ryan in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,



Robert D. Lenhard
Chairman

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at RTB is \$7,650 for the 2007 October Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

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

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

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

The remittance and your payment are due by 1/20/2008. 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: Al Green for Congress

FEC ID#: C00396028

AF#: 1764

PAYMENT DUE DATE: 1/20/2008

PAYMENT AMOUNT DUE: \$7,650

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2008 JAN 30 P 3: 15
January 30, 2008

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *PMC*
STAFF DIRECTOR

FROM: JOHN D. GIBSON *JDG*
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE / RHIANNON RYAN *RR*
COMPLIANCE BRANCH

SUBJECT: FINAL DETERMINATION RECOMMENDATION FOR THE 2007
OCTOBER QUARTERLY REPORT FOR THE ADMINISTRATIVE
FINE PROGRAM

Attached is the name of a political committee and its treasurer against which the Commission has found reason to believe (RTB) and assessed a proposed civil money penalty calculated at RTB for failure to timely file the 2007 October Quarterly Report. The committee has paid the civil money penalty.

In accordance with 11 CFR § 111.34, the Commission shall send a final determination notice to those respondents that have paid the civil money penalty.

RAD Recommendation

- (1) Make a final determination that the political committee and its treasurer on the attached report violated 2 U.S.C. § 434(a) and assess the final civil money penalty so indicated.
- (2) Send the appropriate letters.

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Federal Election Commission
 FD Circulation Report Fine Paid
 2007 OCTOBER QUARTERLY Not Election Sensitive 10/15/2007 H_S_P

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
1764	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	C00396028	WILLIAM A. LAWSON	11/14/2007	30	\$88,326	5	12/11/2007	\$7,650	\$7,650	01/29/2008	\$7,650

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation -) AF 1764
2007 October Quarterly Report for the)
Administrative Fine Program: Al Green)
for Congress and William A. Lawson, as)
treasurer)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on September 18, 2008, the Commission decided by a vote of 6-0 to take the following actions in AF 1764:

1. Make a final determination that Al Green for Congress and William A. Lawson, as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty of \$7,650.
2. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and

Weintraub voted affirmatively for the decision.

Attest:

September 19, 2008
Date

Darlene Harris
for Mary W. Dove
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 19, 2008

William A. Lawson, Treasurer
Al Green for Congress
P.O. Box 20174
Houston, TX 77225

C00396028
AF#: 1764

Dear William A. Lawson,

On 12/11/2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Al Green for Congress and you, as treasurer, violated 2 U.S.C. 434(a) for filing late or failing to file the 2007 October Quarterly Report. By letter dated 12/12/2007, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$7,650 in accordance with the schedule of penalties at 11 C.F.R. 111.43.

On 1/29/2008, the FEC received payment of your civil money penalty calculated at the RTB stage. The FEC made a final determination on 9/18/2008 that you, as treasurer, and Al Green for Congress violated 2 U.S.C. 434(a), assessed a civil money penalty in the amount of \$7,650 in accordance with 11 C.F.R. 111.43, and voted to close the file.

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

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

Sincerely,

A handwritten signature in black ink, appearing to read "DM II".

Donald F. McGahn II
Chairman

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PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Al Green for Congress

FEC ID#: C00396028

AF#: 1764

PAYMENT DUE DATE: 1/20/2008

PAYMENT AMOUNT DUE: \$7,650

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000765000 BA# 1 01-28-08 20 3



AL GREEN FOR CONGRESS 9TH DISTRICT OF TEXAS [REDACTED]		UNITY NATIONAL BANK OF HOUSTON HOUSTON, TX 77298 35-124/1130	2012
PAY TO THE ORDER OF FEDERAL ELECTION COMMISSION		\$ 7,650.00	1/23/2008
Seven Thousand Six Hundred Fifty Only*****		DOLLARS	
MEMO ADMINISTRATIVE DUES		[Signature]	

FEDERAL ELECTION COMMISSION
P.O. BOX 979058
ST. LOUIS, MO. 63197-9000

[REDACTED]

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FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1764

DATE SCANNED 10-31-08

SCANNER NO. 1

SCAN OPERATOR JMS

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