



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 177

DATE SCANNED 12/31/08

SCANNER NO. 2

SCAN OPERATOR EEJ

28092621636



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 18, 2008

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: JOSEPH F. STOLTZ *JFS*
ACTING STAFF DIRECTOR

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

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *NMG* NATALIYA IOFFE/ *PR* RHIANNON MAGRUDER/CHRIS RITCHIE
COMPLIANCE BRANCH

SUBJECT: WITHDRAWAL AND RESUBMISSION OF REASON TO
BELIEVE RECOMMENDATION - 2007 YEAR-END REPORT
FOR THE ADMINISTRATIVE FINE PROGRAM

2008 SEP 18 P 12:18
FEDERAL ELECTION
COMMISSION
SECRETARIAT

We are withdrawing the document circulated to the Commission on March 26, 2008 in order to reflect updates disclosed in recent filings received by the Commission. Attached is the list of political committees and their treasurers who failed to file the 2007 Year-End Report in accordance with 2 U.S.C. 434(a). The Year-End Report was due on January 31, 2008.

The committees listed in the attached RTB Circulation Report either 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 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 YEAR-END Not Election Sensitive 01/31/2008 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1770	C00396028	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	WILLIAM A. LAWSON	\$205,117	5	2/6/2008	6	\$53,559	\$1,687

1776	C00085910	FERT PAC (THE POLITICAL ACTION COMMITTEE OF THE FERTILIZER INSTITUTE)		CAROL-LEE ESTABROOK	\$124,563	0	2/7/2008	7	\$11,153	\$135
1777	C00014555	FOOD MARKETING INSTITUTE POLITICAL ACTION COMMITTEE, FOODPAC		JOHN J. MOTLEY, III	\$396,996	0	2/6/2008	6	\$39,614	\$320
1778	C00326835	HARRIS COUNTY REPUBLICAN PARTY		LARRY M. HICKS	\$137,062	0	2/12/2008	12	\$20,924	\$160
1779	C00158855	HUDSON VALLEY PAC		MR. LEO WEINBERG	\$131,911	0	3/10/2008	Not Filed	\$12,894	\$500

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9/18/2008 8:50 AM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1781	C00034272	NATIONAL CHICKEN COUNCIL POLITICAL ACTION COMMITTEE		GEORGE WATTS	\$245,386	0	2/27/2008	27	\$42,220	\$740
1782	C00150045	UNITED BROTHERHOOD OF CARPENTERS/JOINERS OF AMER NEW ENGLAND REG CARPENTERS LEGIS EMP CMTE		GLENN MARSHALL	\$120,758	3	2/8/2008	8	\$60,348	\$1,575

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Withdrawal and Resubmission of Reason)
To Believe Recommendation - 2007 Year-)
End Report for the Administrative Fine)
Program:)
AL GREEN FOR CONGRESS, and) AF# 1770
WILLIAM A LAWSON as treasurer;)

FERT PAC (THE POLITICAL ACTION) AF# 1776
COMMITTEE OF THE FERTILIZER)
INSTITUTE), and ESTABROOK, CAROL-)
LEE as treasurer;)
FOOD MARKETING INSTITUTE) AF# 1777
POLITICAL ACTION COMMITTEE,)
FOODPAC, and MOTLEY, JOHN J III as)
treasurer;)
HARRIS COUNTY REPUBLICAN) AF# 1778
PARTY, and LARRY M HICKS as)
treasurer;)
HUDSON VALLEY PAC, and) AF# 1779
WEINBERG, LEO MR. as treasurer;)

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NATIONAL CHICKEN COUNCIL) AF# 1781
POLITICAL ACTION COMMITTEE, and)
WATTS, GEORGE as treasurer;)
UNITED BROTHERHOOD OF) AF# 1782
CARPENTERS/JOINERS OF AMER NEW)
ENGLAND REG CARPENTERS LEGIS)
EMP CMTE, and GLENN MARSHALL as)
treasurer;)

AMENDED CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on September 19, 2008 the Commission took the following actions on the Withdrawal and Resubmission of Reason To Believe Recommendation - 2007 Year-End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated September 18, 2008, on the following committees:

AF#1770 Decided by a vote of 6-0 to: (1) find reason to believe that AL GREEN FOR CONGRESS, and WILLIAM A LAWSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#1776 Decided by a vote of 6-0 to: (1) find reason to believe that FERT PAC (THE POLITICAL ACTION COMMITTEE OF THE FERTILIZER INSTITUTE), and ESTABROOK, CAROL-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 Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1777 Decided by a vote of 6-0 to: (1) find reason to believe that FOOD MARKETING INSTITUTE POLITICAL ACTION COMMITTEE, FOODPAC, and MOTLEY, JOHN J III 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 Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1778 Decided by a vote of 6-0 to: (1) find reason to believe that HARRIS COUNTY REPUBLICAN PARTY, and LARRY M HICKS 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 Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1779 Decided by a vote of 6-0 to: (1) find reason to believe that HUDSON VALLEY PAC, and WEINBERG, LEO MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1781 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL CHICKEN COUNCIL POLITICAL ACTION COMMITTEE, and WATTS, GEORGE 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 Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1782 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED BROTHERHOOD OF CARPENTERS/JOINERS OF AMER NEW ENGLAND REG CARPENTERS LEGIS EMP CMTE, and GLENN MARSHALL 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 Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

October 27, 2008
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 22, 2008

John J. Motley III
Food Marketing Institute Political Action Committee,
FOODPAC
2345 Crystal Drive
Arlington, VA 22202

C00014555
AF#: 1777

Dear John J. Motley III:

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, 2007 shall be filed no later than January 31st, 2008. 2 U.S.C. 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on 2/6/2008, 6 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 9/19/2008, the FEC found that there is reason to believe ("RTB") that Food Marketing Institute Political Action Committee, FOODPAC and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before January 31st, 2008. 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 \$320. It is due by 10/29/2008 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$39,614
Number of Days Late: 6
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 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

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10/29/2008. 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 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 Food Marketing Institute Political Action Committee, FOODPAC 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.

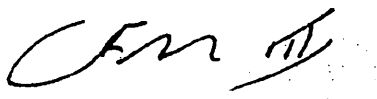
This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on

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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 Magruder 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,

A handwritten signature in black ink, appearing to read "DM II", is written over a faint, circular embossed seal of the Federal Election Commission.

Donald F. McGahn II
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 \$320 for the 2007 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 10/29/2008. 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: Food Marketing Institute Political Action Committee, FOODPAC

FEC ID#: C00014555

AF#: 1777

PAYMENT DUE DATE: 10/29/2008

PAYMENT AMOUNT DUE: \$320

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2008 11 17 P 4: 02
November 17, 2008

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: JOSEPH F. STOLTZ *JFS*
ACTING STAFF DIRECTOR

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

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/RHIANNON MAGRUDER *NUG* *RM*
COMPLIANCE BRANCH

SUBJECT: ADMINISTRATIVE FINE PROGRAM –
FINAL DETERMINATION RECOMMENDATION FOR THE
2007 YEAR-END REPORT

Attached is a list of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2007 Year-End Report. All of the committees have 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 final determination that the political committees and their treasurers on the attached report violated 2 U.S.C. 434(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

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Federal Election Commission
 FD Circulation Report - Fine Paid
 2007 YEAR-END Not Election Sensitive 01/31/2008 H_S_P_UNAUTH

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
1770	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	C00366028	WILLIAM A. LAWSON	02/06/2008	6	\$53,559	5	09/19/2008	\$1,687	\$1,687	10/31/2008	\$1,687
1776	FERT PAC (THE POLITICAL ACTION COMMITTEE OF THE FERTILIZER INSTITUTE)		C00065910	CAROL LEE ESTABROOK	02/07/2008	7	\$11,153	0	09/19/2008	\$135	\$135	11/03/2008	\$135
1777	FOOD MARKETING INSTITUTE POLITICAL ACTION COMMITTEE FOODPAC		C00014555	JOHN J. MOTLEY III	02/06/2008	6	\$39,614	0	09/19/2008	\$320	\$320	10/17/2008	\$320
1778	HARRIS COUNTY REPUBLICAN PARTY		C00326835	LARRY M. HICKS	02/12/2008	12	\$20,924	0	09/19/2008	\$160	\$160	10/28/2008	\$160
1779	HUDSON VALLEY PAC		C00158865	MR. LEO WEINBERG	03/10/2008	Not Filed	\$12,894	0	09/19/2008	\$500	\$500	10/22/2008	\$500
1781	NATIONAL CHICKEN COUNCIL POLITICAL ACTION COMMITTEE		C00034272	GEORGE WATTS	02/27/2008	27	\$42,220	0	09/19/2008	\$740	\$740	10/16/2008	\$740
1782	UNITED BROTHERHOOD OF CARPENTERS/JOINERS OF AMER NEW ENGLAND REG CARPENTERS LEGIS EMP CMTE		C00150045	GLENN MARSHALL	02/08/2008	8	\$60,348	3	09/19/2008	\$1,575	\$1,575	11/07/2008	\$1,575

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fines Final Determination)
Recommendation for the 2007 Year End)
Report:)
NATIONAL CHICKEN COUNCIL) AF# 1781
POLITICAL ACTION COMMITTEE, and)
WATTS, GEORGE as treasurer;)
HARRIS COUNTY REPUBLICAN) AF# 1778
PARTY, and LARRY M HICKS as)
treasurer;)
UNITED BROTHERHOOD OF) AF# 1782
CARPENTERS/JOINERS OF AMER NEW)
ENGLAND REG CARPENTERS LEGIS)
EMP CMTE, and GLENN MARSHALL as)
treasurer;)
FERT PAC (THE POLITICAL ACTION) AF# 1776
COMMITTEE OF THE FERTILIZER)
INSTITUTE), and ESTABROOK, CAROL-)
LEE as treasurer;)
AL GREEN FOR CONGRESS, and) AF# 1770
WILLIAM A LAWSON as treasurer;)
FOOD MARKETING INSTITUTE) AF# 1777
POLITICAL ACTION COMMITTEE,)
FOODPAC, and MOTLEY, JOHN J III as)
treasurer;)
HUDSON VALLEY PAC, and) AF# 1779
WEINBERG, LEO MR. as treasurer;)

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on November 19, 2008 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the 2007 Year End Report as recommended in the Reports Analysis Division's Memorandum dated November 17, 2008, on the following committees:

AF#1781 Decided by a vote of 6-0 to: (1) make a final determination that NATIONAL CHICKEN COUNCIL POLITICAL ACTION COMMITTEE, and WATTS, GEORGE as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1778 Decided by a vote of 6-0 to: (1) make a final determination that HARRIS COUNTY REPUBLICAN PARTY, and LARRY M HICKS as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1782 Decided by a vote of 6-0 to: (1) make a final determination that UNITED BROTHERHOOD OF CARPENTERS/JOINERS OF AMER NEW ENGLAND REG CARPENTERS LEGIS EMP CMTE, and GLENN MARSHALL as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1776 Decided by a vote of 6-0 to: (1) make a final determination that FERT PAC (THE POLITICAL ACTION COMMITTEE OF THE FERTILIZER INSTITUTE), and ESTABROOK, CAROL-LEE as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1770 Decided by a vote of 6-0 to: (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 civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#1777 Decided by a vote of 6-0 to: (1) make a final determination that FOOD MARKETING INSTITUTE POLITICAL ACTION COMMITTEE, FOODPAC, and MOTLEY, JOHN J III as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1779 Decided by a vote of 6-0 to: (1) make a final determination that HUDSON VALLEY PAC, and WEINBERG, LEO MR. as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

November 20, 2008
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 21, 2008

John J. Motley III, Treasurer
Food Marketing Institute Political Action Committee,
FOODPAC
2345 Crystal Drive, Suite 800
Arlington, VA 22202

C00014555
AF#: 1777

Dear John J. Motley III,

On 9/19/2008, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Food Marketing Institute Political Action Committee, FOODPAC and you, as treasurer, violated 2 U.S.C. 434(a) for filing late or failing to file the 2007 Year-End Report. By letter dated 9/22/2008, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of **\$320** in accordance with the schedule of penalties at 11 C.F.R. 111.43.

On 10/17/2008, the FEC received payment of your civil money penalty calculated at the RTB stage. The FEC made a final determination on 11/19/2008 that you, as treasurer, and Food Marketing Institute Political Action Committee, FOODPAC violated 2 U.S.C. 434(a), assessed a civil money penalty in the amount of **\$320** 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 "DFM II".

Donald F. McGahn II
Chairman

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QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000032000 BA# 1 10-16-08 20 3



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FOOD MARKETING INSTITUTE OPERATING ACCOUNT 2345 CRYSTAL DR STE 800 ARLINGTON, VA 22202 PH. 202-220-0600		Wachovia Wachovia Bank, N.A. wachovia.com 15-122/540	80152
Three Hundred Twenty Dollars and 00 Cents		10/7/2008	\$320.00
PAY TO THE ORDER OF	Federal Election Commission	DATE	AMOUNT
P.O. Box 979058 St. Louis, MO 63197-9000		VOIDED AFTER SIX MONTHS	
[Redacted]		AUTHORIZED SIGNATURE	

Security Features included. Details on Back.



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1777

DATE SCANNED 12/31/08

SCANNER NO. 2

SCAN OPERATOR ESS

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