



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1840

DATE SCANNED 6/15/09

SCANNER NO. 2

SCAN OPERATOR Jmp

29092630331



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 18, 2008

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

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

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

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/ *NIO* RHIANNON MAGRUDER/ *RM* CHRIS RITCHIE *CR*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION - 2008 JULY
QUARTERLY REPORT FOR THE ADMINISTRATIVE FINE
PROGRAM

2008 SEP 18 P 12:10
 RECEIVED
 COMPLIANCE
 BRANCH

Attached is a list of political committees and their treasurers who failed to file the 2008 July Quarterly Report in accordance with 2 U.S.C. 434(a). The July Quarterly Report was due on July 15, 2008.

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 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
2008 JULY QUARTERLY No Election Sensitive 07/15/2008 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1835	C00396028	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	WILLIAM A. LAWSON	\$394,230	5	8/22/2008	Not Filled	\$127,201	\$10,125

1837	C00204368	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)		IRA LAMEL	\$210,570	3	7/24/2008	9	\$72,611	\$1,706
1838	C00434455	BOB HILL FOR CONGRESS	HILL, ROBERT ANTHONY	KATHLEEN KUKIELKA	\$322,400	0		Not Filled	\$107,467 (est)	\$4,500
1839	C00436030	BUCKEY FOR SENATE	BUCKEY, JAY CLARK	ALBERT MARK BELIVEAU	\$270,971	0		Not Filled	\$67,743 (est)	\$2,700
1840	C00445312	CAROLENE MAYS FOR CONGRESS	MAYS, CAROLENE	ANGIE KUHN	\$278,909	0	9/3/2008	Not Filled	\$91,134	\$3,500
1841	C00417972	CHASE FOR SENATE	CHASE, KEN	FRANCIS G. CHASE	\$133,295	0		Not Filled	\$33,324 (est)	\$900
1842	C00450007	CINDY FOR CONGRESS	SHEEHAN, CINDY	CHRISTY MILLER	\$414,640	0	8/21/2008	Not Filled	\$166,972	\$5,500
1843	C00444208	CITIZENS FOR RAY MCKINNEY	MCKINNEY, RAYMOND LOUIS	LISA DARLENE MCKINNEY	\$151,251	0		Not Filled	\$4,273 (est)	\$250
1844	C00408823	COMMITTEE TO RE-ELECT BOBBY JINDAL INC	JINDAL, BOBBY	WILLIAM C. POTTER	\$106,358	0		Not Filled	\$27,090 (est)	\$900
1845	C00147512	CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE (CBC-PAC)		ARTHUR COLLINS	\$442,307	3	8/6/2008	22	\$132,504	\$5,862

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1846	C00256354	CYNTHIA MCKINNEY FOR CONGRESS	MCKINNEY, CYNTHIA A.	JOAN CHRISTIAN	\$118,664	0	8/29/2008	Not Filed	\$538	\$250
1848	C00433821	DEMIMER FOR CONGRESS	DEMIMER, RANDY LEE	DEBORAH J. TOWEY	\$479,005	0	7/28/2008	13	\$35,670	\$460

1850	C00427328	DERRICK SHEPHERD CAMPAIGN COMMITTEE	SHEPHERD, DERRICK	DERRICK SHEPHERD	\$346,510	1		Not Filed	\$87,128 (est)	\$4,375
1851	C00440172	DICK VERSACE FOR CONGRESS	VERSACE, RICHARD	THOMAS MASSIMINO	\$679,110	0		Not Filed	\$679,110 (est)	\$10,500
1852	C00362178	FAMILY-PAC FEDERAL		D. PAUL CAPRIO	\$103,147	0	7/24/2008	9	\$45,634	\$380
1853	C00431049	FINEGOLD COMMITTEE	FINEGOLD, BARRY	TRAVIS M. DROUIN	\$1,821,497	0		Not Filed	\$303,583 (est)	\$8,000
1854	C00250088	GROCERY MANUFACTURERS ASSOCIATION POLITICAL ACTION COMMITTEE (GMA PAC)		MR. MICHAEL MCSHANE	\$489,596	0	7/21/2008	8	\$148,233	\$1,350
1855	C00394775	GROOM LAW GROUP, CHARTERED POLITICAL ACTION COMMITTEE		BRIGEN L. WINTERS	\$114,785	0	7/22/2008	7	\$26,015	\$340
1856	C00432245	HONEYCUTT FOR CONGRESS	HONEYCUTT, DEBORAH TRAVIS	SCOTT B. MACKENZIE	\$5,110,389	0	8/12/2008	28	\$164,553	\$5,000
1857	C00094822	INTERNATIONAL ASSOCIATION OF HOLIDAY INNS		EVA FERGUSON	\$121,711	0	7/30/2008	15	\$37,250	\$500

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1858	C00439513	JOHN ROUNSAVILLE FOR CONGRESS	ROUNSAVILLE, JOHN WALTER	JAMES LAFAYETTE PERRY JR	\$547,317	0		Not Filed	\$182,439 (est)	\$5,500
1859	C00438101	KEVIN BURNS FOR CONGRESS	BURNS, KEVIN	JOHN J BURNS	\$175,553	0	8/4/2008	20	\$8,754	\$150

1861	C00444844	KOPPLIN FOR CONGRESS	KOPPLIN, ANDREW DAVID	RALPH J. STEPHENS	\$637,113	0		Not Filed	\$318,557 (est)	\$8,000
1862	C00439877	LEE FOR CONGRESS 2008	LEE, JIMMY D.	GERALD BAUMAN	\$279,286	0	8/20/2008	Not Filed	\$1,884	\$250
1863	C00434670	NACHBAR FOR CONGRESS	NACHBAR, DAVID	NANCY NACHBAR	\$431,747	0		Not Filed	\$143,916 (est)	\$4,500
1864	C00445296	PUCKETT FOR CONGRESS	PUCKETT, LUKE WAYNE	ARTHUR LEE WILLIS II	\$331,257	0	7/21/2008	6	\$120,523	\$1,350
1865	C00433128	RICARDO MUNOZ FOR CONGRESS	MUNOZ, RICARDO	CARMEN FLORES-RANCE	\$690,313	0		Not Filed	\$172,578 (est)	\$5,500
1866	C00428185	ROBINSON FOR CONGRESS	ROBINSON, CHRISTOPHER R.	MR. TED A BROOKS	\$209,827	0		Not Filed	\$41,965 (est)	\$900

1869	C00443465	SEAN O'KANE FOR US CONGRESS COMMITTEE	O'KANE, SEAN THOMAS	WILLIAM J. SAMMON	\$231,619	0		Not Filed	\$115,810 (est)	\$4,500
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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1870	C00159490	SHEET METAL WORKERS INTERNATIONAL ASSOCIATION LOCAL 28 POLITICAL COMMITTEE		RICHARD L. KNICE	\$652,512	0	8/7/2008	23	\$112,014	\$3,475
1871	C00402669	SI INTERNATIONAL INC POLITICAL ACTION COMMITTEE		THOMAS E. DUNN	\$284,112	1	7/21/2008	6	\$43,853	\$400
1872	C00359695	SWANSON FOR U S SENATE COMMITTEE	SWANSON, JOHNNY III	JOHNNY SWANSON III	\$169,147	0		Not Filed	\$28,191 (est)	\$900
1873	C00253377	WYNN FOR CONGRESS	WYNN, ALBERT R.	MR. CURT CLIFTON	\$2,938,632	0		Not Filed	\$587,726 (est)	\$10,000

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2008)
July Quarterly Report for the Administrative)
Fine Program:)
HONEYCUTT FOR CONGRESS, and) AF# 1856
MACKENZIE, SCOTT B as treasurer;)
SHEET METAL WORKERS) AF# 1870
INTERNATIONAL ASSOCIATION)
LOCAL 28 POLITICAL COMMITTEE,)
and KNICE, RICHARD L. as treasurer;)
CONGRESSIONAL BLACK CAUCUS) AF# 1845
POLITICAL ACTION COMMITTEE)
(CBC-PAC), and ARTHUR COLLINS as)
treasurer;)
KEVIN BURNS FOR CONGRESS, and) AF# 1859
JOHN J BURNS as treasurer;)
INTERNATIONAL ASSOCIATION OF) AF# 1857
HOLIDAY INNS, and EVA FERGUSON)
as treasurer;)
DEMMEER FOR CONGRESS, and) AF# 1848
DEBORAH J TOWEY as treasurer;)

BI-COUNTY POLITICAL ACTION) AF# 1837
COMMITTEE (FKA SUFFOLK PAC), and)
IRA LAMEL as treasurer;)
FAMILY-PAC FEDERAL, and D PAUL) AF# 1852
CAPRIO as treasurer:)

GROOM LAW GROUP, CHARTERED) AF# 1855
POLITICAL ACTION COMMITTEE, and)
BRIGEN L WINTERS as treasurer;)

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GROCERY MANUFACTURERS) AF# 1854
ASSOCIATION POLITICAL ACTION
COMMITTEE ('GMA PAC'), and
MCSHANE, MICHAEL MR. as treasurer;
PUCKETT FOR CONGRESS, and) AF# 1864
ARTIUR LEE WILLIS II as treasurer;)
SI INTERNATIONAL INC POLITICAL.) AF# 1871
ACTION COMMITTEE, and THOMAS E)
DUNN as treasurer;)
AL GREEN FOR CONGRESS, and) AF# 1835
WILLIAM A LAWSON as treasurer;)

BOB HILL FOR CONGRESS, and) AF# 1838
KATHLEEN KUKIELKA as treasurer;)
BUCKEY FOR SENATE, and ALBERT) AF# 1839
MARK BELIVEAU as treasurer;)
CAROLENE MAYS FOR CONGRESS,) AF# 1840
and ANGIE KUHN as treasurer;)
CHASE FOR SENATE, and FRANCIS G) AF# 1841
CHASE as treasurer;)
CINDY FOR CONGRESS, and CHRISTY) AF# 1842
MILLER as treasurer;)
CITIZENS FOR RAY MCKINNEY, and) AF# 1843
LISA DARLENE MCKINNEY as)
treasurer;)
COMMITTEE TO RE-ELECT BOBBY) AF# 1844
JINDAL, and WILLIAM C POTTER as)
treasurer;)
CYNTHIA MCKINNEY FOR) AF# 1846
CONGRESS, and CHRISTIAN, JOAN as)
treasurer;)
DERRICK SHEPHERD CAMPAIGN) AF# 1850
COMMITTEE, and SHEPHERD,)
DERRICK as treasurer;)
DICK VERSACE FOR CONGRESS, and) AF# 1851
THOMAS MASSIMINO as treasurer;)
FINEGOLD COMMITTEE, and TRAVIS) AF# 1853
M DROUIN as treasurer;)
JOHN ROUNSAVILLE FOR CONGRESS,) AF# 1858
and JAMES LAFAYETTE PERRY JR as)
treasurer;)

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KOPPLIN FOR CONGRESS, and RALPH J STEPHENS as treasurer;)	AF# 1861
LEE FOR CONGRESS 2008, and GERALD BAUMAN as treasurer;)	AF# 1862
NACHBAR FOR CONGRESS, and NANCY NACHBAR as treasurer;)	AF# 1863
RICARDO MUNOZ FOR CONGRESS, and CARMEN FLORES-RANCE as treasurer;)	AF# 1865
ROBINSON FOR CONGRESS, and BROOKS, TED A MR. as treasurer;)	AF# 1866
SEAN O'KANE FOR US CONGRESS COMMITTEE, and WILLIAM J SAMMON as treasurer;)	AF# 1869
SWANSON FOR U S SENATE COMMITTEE, and SWANSON, JOHNNY III as treasurer;)	AF# 1872
WYNN FOR CONGRESS, and MR CURT CLIFTON as treasurer;)	AF# 1873

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 Reason To Believe Recommendation - 2008 July Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated September 18, 2008, on the following committees:

AF#1856 Decided by a vote of 6-0 to: (1) find reason to believe that HONEYCUTT FOR CONGRESS, and MACKENZIE, SCOTT B 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#1870 Decided by a vote of 6-0 to: (1) find reason to believe that SHEET METAL WORKERS INTERNATIONAL ASSOCIATION LOCAL 28 POLITICAL COMMITTEE, and KNICE, RICHARD L. 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#1845 Decided by a vote of 6-0 to: (1) find reason to believe that CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE (CBC-PAC), and ARTHUR COLLINS 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#1859 Decided by a vote of 6-0 to: (1) find reason to believe that KEVIN BURNS FOR CONGRESS, and JOHN J BURNS 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#1857 Decided by a vote of 6-0 to: (1) find reason to believe that INTERNATIONAL ASSOCIATION OF HOLIDAY INNS, and EVA FERGUSON 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#1848 Decided by a vote of 6-0 to: (1) find reason to believe that DEMMER FOR CONGRESS, and DEBORAH J TOWEY 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#1837 Decided by a vote of 6-0 to: (1) find reason to believe that BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC), and IRA LAMEL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1852 Decided by a vote of 6-0 to: (1) find reason to believe that FAMILY-PAC FEDERAL, and D PAUL CAPRIO as treasurer violated 2 U.S.C. 434(a) and make a

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preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1855 Decided by a vote of 6-0 to: (1) find reason to believe that GROOM LAW GROUP, CHARTERED POLITICAL ACTION COMMITTEE, and BRIGEN L WINTERS 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#1854 Decided by a vote of 6-0 to: (1) find reason to believe that GROCERY MANUFACTURERS ASSOCIATION POLITICAL ACTION COMMITTEE ('GMA PAC'), and MCSHANE, MICHAEL 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 Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1864 Decided by a vote of 6-0 to: (1) find reason to believe that PUCKETT FOR CONGRESS, and ARTHUR LEE WILLIS II 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#1871 Decided by a vote of 6-0 to: (1) find reason to believe that SI INTERNATIONAL INC POLITICAL ACTION COMMITTEE, and THOMAS E DUNN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1835 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#1838 Decided by a vote of 6-0 to: (1) find reason to believe that BOB HILL FOR CONGRESS, and KATHLEEN KUKIELKA 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#1839 Decided by a vote of 6-0 to: (1) find reason to believe that BUCKEY FOR SENATE, and ALBERT MARK BELIVEAU 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#1840 Decided by a vote of 6-0 to: (1) find reason to believe that CAROLENE MAYS FOR CONGRESS, and ANGIE KUHN 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#1841 Decided by a vote of 6-0 to: (1) find reason to believe that CHASE FOR SENATE, and FRANCIS G CHASE 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#1842 Decided by a vote of 6-0 to: (1) find reason to believe that CINDY FOR CONGRESS, and CHRISTY MILLER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1843 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS FOR RAY MCKINNEY, and LISA DARLENE MCKINNEY 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#1844 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO RE-ELECT BOBBY JINDAL, and WILLIAM C POTTER 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#1846 Decided by a vote of 6-0 to: (1) find reason to believe that CYNTHIA MCKINNEY FOR CONGRESS, and CHRISTIAN, JOAN 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#1850 Decided by a vote of 6-0 to: (1) find reason to believe that DERRICK SHEPHERD CAMPAIGN COMMITTEE, and SHEPHERD, DERRICK 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#1851 Decided by a vote of 6-0 to: (1) find reason to believe that DICK VERSACE FOR CONGRESS, and THOMAS MASSIMINO 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#1853 Decided by a vote of 6-0 to: (1) find reason to believe that FINEGOLD COMMITTEE, and TRAVIS M DROUIN 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#1858 Decided by a vote of 6-0 to: (1) find reason to believe that JOHN ROUNSAVILLE FOR CONGRESS, and JAMES LAFAYETTE PERRY 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 Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#1861 Decided by a vote of 6-0 to: (1) find reason to believe that KOPPLIN FOR CONGRESS, and RALPH J STEPHENS 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#1862 Decided by a vote of 6-0 to: (1) find reason to believe that LEE FOR CONGRESS 2008, and GERALD BAUMAN 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#1863 Decided by a vote of 6-0 to: (1) find reason to believe that NACHBAR FOR CONGRESS, and NANCY NACHBAR 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#1865 Decided by a vote of 6-0 to: (1) find reason to believe that RICARDO MUNOZ FOR CONGRESS, and CARMEN FLORES-RANCE 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#1866 Decided by a vote of 6-0 to: (1) find reason to believe that ROBINSON FOR CONGRESS, and BROOKS, TED A 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 Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1869 Decided by a vote of 6-0 to: (1) find reason to believe that SEAN O'KANE FOR US CONGRESS COMMITTEE, and WILLIAM J SAMMON 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#1872 Decided by a vote of 6-0 to: (1) find reason to believe that SWANSON FOR U S SENATE COMMITTEE, and SWANSON, JOHNNY 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

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Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1873 Decided by a vote of 6-0 to: (1) find reason to believe that WYNN FOR CONGRESS, and MR CURT CLIFTON 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

Angie Kuhn
Carolene Mays for Congress
3247 Lindel Lane
Indianapolis, IN 46268

C00445312
AF#: 1840

Dear Angie Kuhn:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through June 30th, 2008, shall be filed no later than July 15th, 2008. 2 U.S.C. 434(a). 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 9/19/2008, the FEC found that there is reason to believe ("RTB") that Carolene Mays for Congress and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before July 15th, 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 \$3,500. It is due by 10/29/2008 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$91,134
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 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 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

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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 Carolene Mays 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 Magruder in the

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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 'DFM II', written in a cursive style.

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 \$3,500 for the 2008 July 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 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: Carolene Mays for Congress

FEC ID#: C00445312

AF#: 1840

PAYMENT DUE DATE: 10/29/2008

PAYMENT AMOUNT DUE: \$3,500

29092630349

Carolene Mays for Congress
3247 Lindel Lane
Indianapolis, IN 46268
(317) 924-5143
ID# C00445312

2008 OCT 28 P 3:09

October 22, 2008

Federal Election Commission
Office Administration Review
999 E Street, N.W.
Washington DC 20463

AF# 1840

To Whom It May Concern:

I have been Treasurer for State Representative Carolene Mays for seven years. Please note that as a State Representative in Indiana, you no longer have to file quarterly reports once an election is lost. Based on our knowledge, we had no idea the Federal law still required this. Based on your letter, we now know that inexperience in FEC regulations is not an excuse.

At this point, based on your penalty letter, we understand we probably would not win a dispute regarding the fact the July Quarterly report was not filed on the due date. We lost the election, did not know the report was due and still do not agree with the penalty. Please send documentation of how the penalty is calculated. We can now only dispute the hefty penalty of \$3,500 and ask for recalculation and leniency.

This is a very confusing process. We are also still struggling with FEC filed reports that keep coming back with said errors, though we have given all the documentation requested. It saddens me that the regulations harm more than help the "little person" or the person without national party backing.

In the meantime, Carolene Mays is sending a personal check for \$1,750. Please send explanation of penalty amount and please consider this as final payment for this case. Ms. Mays is still personally owed over \$10,000 for the elections. We lost. We are done. We have nothing left!

We will be anxiously awaiting your decision. Thank you for your time and consideration.

Sincerely,



Angie Kuhn
Treasurer

Cc: Carolene Mays, Candidate

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QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000175000 BA# 2 10-29-08 20 4



From the rising sun to the place where it sets, the name of the Lord is to be praised. Psalms 113:3

20-17140
E-Z Pay
 Date 10/25/08

CAROLENE R. MAYS 1207
 3247 LINDEL LN.
 INDIANAPOLIS, IN 46268

Pay to the Order of Federal Election Commission \$ 1750.00
Seventeen hundred & fifty - 00/100 Dollars

JPMORGAN CHASE BANK, N.A.
 INDIANAPOLIS, IN 46277
 WWW.CHASE.COM

For AF# 1840 Carolee Mays

0296

02000 LITECHECKS email PSALMS OF THE HEAVENS 1-800-554-3257 www.litecheck.com



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

October 29, 2008

Angie Kuhn, as Treasurer
Carolene Mays for Congress
3247 Lindel Lane
Indianapolis, IN 46268

C00445312
AF# 1840

Dear Ms. Kuhn:

On October 28, 2008 the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in cursive script that reads "Shawn Woodhead Werth".

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

29092630352

2008 NOV -5 A 11: 37i

Date: November 5, 2008

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

AF#: 1840

Committee Name: Carolene Mays for Congress

Committee ID#: C00445312

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 September 18, 2008 and RTB
Certification, dated October 27, 2008: Previously Forwarded

Attachment #: N/A

Certified Return Receipt (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

-2008 Pre-Primary Report Prior Notice, dated March 31, 2008.

-2008 July Quarterly Report Prior Notice, dated June 21, 2008.

-Non-Filer Letter, dated August 1, 2008.

-RTB Letter, dated September 22, 2008.

Attachment #: 2

Other RAD Information: (Y/N): RAD Memo to File, Returned RTB Letter, Fax
Transmittal, Payment

Attachment#: 3

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DECLARATION OF NATALIYA IOFFE

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 Carolene Mays for Congress:
 - A) Prior Notice, dated March 31, 2008, referencing the 2008 July Quarterly Report (sent via electronic mail to: campaign@carolenemaysforcongress.com);
 - B) Prior Notice, dated June 21, 2008, referencing the 2008 July Quarterly Report (sent via electronic mail to: campaign@carolenemaysforcongress.com);
 - C) Non-Filer Letter, dated August 1, 2008, referencing the 2008 July Quarterly Report;
 - D) Reason-to-Believe Letter, dated September 22, 2008, referencing the 2008 July Quarterly Report.
3. I hereby certify that I have searched the Commission's public records and find that Carolene Mays for Congress electronically filed the 2008 July Quarterly Report with the Commission on September 3, 2008.
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 5th day of November, 2008.



Nataliya Ioffe
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



PRIMARY ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

INDIANA
Congressional Committees

March 31, 2008

COMMITTEES INVOLVED IN THE PRIMARY (05/06/08) MUST FILE:

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
April Quarterly		---- WAIVED ----	
Pre-Primary	01/01/08 - 04/16/08	04/21/08	04/24/08
48 Hour Notices	04/17/08 - 05/03/08	---see p. 3 of notice---	
July Quarterly	04/17/08 - 06/30/08	07/15/08	07/15/08

Supplemental Filing Information is available on pages 2 and 3 of this notice.

¹These 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 up through the close of books for the first report due.

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SUPPLEMENTAL FILING INFORMATION

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates² (including unopposed candidates and candidates whose names do not appear on the ballot) who seek nomination in the primary election must file the above reports and notices.³ Before a committee can stop filing with the FEC, it must file a termination report with the Commission. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. For additional information, call the Electronic Filing Office at (800) 424-9530 or (202) 694-1642 or visit our website at www.fec.gov/electfil/electron.shtml.

Under the Commission's mandatory electronic filing regulations, 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 file all reports and statements with the FEC electronically. Other U.S. House committees may voluntarily file electronically; however, any entity that files electronically, whether required to do so or not, must comply with the electronic filing rules.

Registered & Certified Mail

Reports sent by Registered or Certified Mail must be postmarked on or before the mailing deadline to be considered timely filed. A committee sending its reports by Certified Mail should keep its certified mailing receipt with the U.S. Postal Service (USPS) postmark as proof of filing because the USPS does not keep complete records of items sent by Certified Mail. A committee sending its report by Registered Mail should keep its proof of mailing. Note that a Certificate of Mailing from the USPS is not sufficient to prove that a report is timely filed using Registered, Certified or Overnight Mail.

Overnight Mail

Reports filed via overnight mail will be considered timely filed if the report is received by the delivery service on or before the mailing deadline. "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with which the report is scheduled for next business day delivery and is recorded in the service's on-line tracking system.

Forms are available for downloading and printing at the FEC website at www.fec.gov/info/forms.shtml.

²Generally, an individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

³If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z.

Other Means of Filing

Reports filed by any other means—including first class mail and courier—must be received by the Commission before the close of business on the last business day before the filing deadline.

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period of April 17 through May 3, 2008.

The notices, which may be filed using Form 6, or under limited circumstances Form 10, must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). **Campaign committees that file electronically MUST submit their 48-hour notices electronically.** For more information, visit the FEC web site at www.fec.gov/electfil/online.shtml. U.S. House candidates faxing 48-hour notices should transmit them to the FEC at (202) 219-0174. Paper forms are available at the website at www.fec.gov/info/forms.shtml.

COMPLIANCE

Treasurer Responsibility. 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. For additional information, see the Commission's *Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings* on the web site at www.fec.gov/law/policy/2004/notice2004-20.pdf

Administrative Fine Program. 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).⁴ For additional information, visit the FEC website at www.fec.gov/af/af.shtml.

Report Format. 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 Must File Electronically. Electronic filers who instead file on paper, or who submit an electronic report (either by direct transmission, 3.5" diskette or CD) that does not pass the validation program by 11:59 p.m. Eastern Time on the filing deadline, will be considered non-filers and may be subject to enforcement actions (including administrative fines).

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC. This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail service, and hand delivery.

⁴Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$16,000, even for first-time violations.

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

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JULY QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

June 21, 2008

CURRENT REPORT DUE

REPORTING DATES

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
July Quarterly	04/01/08 - 06/30/08	07/15/08	07/15/08

PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2008 state primary, nominating convention or runoff election – even if unopposed – must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports. Separate notices will be sent to explain these additional reporting obligations. See the January 2008 Record, which can be found on the FEC web site at www.fec.gov/pdf/record/2008/jan08.pdf

Supplemental Filing Information is available on pages 3 and 4 of this notice.

¹These 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 up through the close of books for the first report due.

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REPORTING SCHEDULE FOR REMAINDER OF 2008

REPORTING DATES

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
October Quarterly	07/01/08 - 09/30/08	10/15/08	10/15/08
Pre-General	10/01/08 - 10/15/08	10/20/08	10/23/08
48 Hour Notices	10/16/08 - 11/01/08	---see p. 4 of notice---	
Post-General	10/16/08 - 11/24/08	12/04/08	12/04/08
Year-End	11/25/08 - 12/31/08	01/31/09	01/31/09 ²

PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2008 state primary, nominating convention or runoff election – even if unopposed – must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports. Separate notices will be sent to explain these additional reporting obligations. See the January 2008 Record, which can be found on the FEC web site at www.fec.gov/pdf/record/2008/jan08.pdf.

Supplemental Filing Information is available on pages 3 and 4 of this notice.

¹These 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 up through the close of books for the first report due.

²Notice that this filing deadline falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's (or for Senate candidates, the Secretary of the Senate's) close of business on the last business day before the deadline.

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SUPPLEMENTAL FILING INFORMATION

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates³ (including unopposed candidates and candidates whose names do not appear on the ballot) must file a July Quarterly Report by July 15, 2008.⁴

Campaigns that raise or spend more than \$5,000 for the 2008 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2008, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. Before a committee can stop filing with the FEC, it must file a termination report with the Commission. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. For additional information, call the Electronic Filing Office at (800) 424-9530 or (202) 694-1642 or visit our website at www.fec.gov/electfil/electron.shtml.

Under the Commission's mandatory electronic filing regulations, 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 file all reports and statements with the FEC electronically. Other U.S. House committees may voluntarily file electronically; however, any entity that files electronically, whether required to do so or not, must comply with the electronic filing rules. U.S. Senate committees that file with the Secretary of the Senate are not subject to the mandatory electronic filing rules, but may file an unofficial copy of their reports with the Commission in order to speed disclosure.

Registered & Certified Mail

Reports sent by Registered or Certified Mail must be postmarked on or before the mailing deadline to be considered timely filed. A committee sending its reports by Certified Mail should keep its certified mailing receipt with the U.S. Postal Service (USPS) postmark as proof of filing because the USPS does not keep complete records of items sent by Certified Mail. A committee sending its report by Registered Mail should keep its proof of mailing. Note that a Certificate of Mailing from the USPS is not sufficient to prove that a report is timely filed using Registered, Certified or Overnight Mail.

Overnight Mail

Reports filed via overnight mail will be considered timely filed if the report is received by the delivery service on or before the mailing deadline. "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with which the report is scheduled for next business day delivery and is recorded in the service's on-line tracking system.

³Generally, an individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

⁴If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z.

Other Means of Filing

Reports filed by any other means—including first class mail and courier—must be received by the Commission (or for Senate committees, the Secretary of the Senate) before the close of business on the last business day before the filing deadline.

Forms are available for downloading and printing at the FEC website at www.fec.gov/info/forms.shtml.

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives any contribution (including in-kind gifts or advances of goods or services; Loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running.

The notices, which may be filed using Form 6, or under limited circumstances Form 10, must reach the appropriate federal and/or state filing office(s) within 48 hours of the committee's receipt of the contribution(s). U.S. Senate candidates must transmit the notices to the Secretary of the Senate by fax at (202) 224-1851. **Campaign committees that file electronically MUST submit their 48-hour notices electronically.** For more information, visit the FEC web site at www.fec.gov/electfil/online.shtml. U.S. House candidates faxing 48-hour notices should transmit them to the FEC at (202) 219-0174. Paper forms are available at the FEC web site at www.fec.gov/info/forms.shtml.

COMPLIANCE

Treasurer Responsibility. 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. For additional information, see the Commission's *Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings* on the web site at www.fec.gov/law/policy/2004/notice2004-20.pdf.

Administrative Fine Program. 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).⁵ For additional information, visit the FEC website at www.fec.gov/af/af.shtml.

Report Format. 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 Must File Electronically. Electronic filers who instead file on paper, or who submit an electronic report (either by direct transmission, 3.5" diskette or CD) that does not pass the validation program by 11:59 p.m. Eastern Time on the filing deadline, will be considered non-filers and may be subject to enforcement actions (including administrative fines).

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.⁶ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail service, and hand delivery.

⁵Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$16,000, even for first-time violations.

⁶Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more on filing reports via US mail.

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

19092630361



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 1, 2008

RQ-7

ANGIE KUHN, TREASURER
CAROLENE MAYS FOR CONGRESS
3247 LINDEL LANE
INDIANAPOLIS, IN 46268

IDENTIFICATION NUMBER: C00445312

REFERENCE: JULY QUARTERLY REPORT 4/17/2008 - 6/30/2008

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.

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. PLEASE NOTE THAT ELECTRONIC FILERS MUST SUBMIT THEIR REPORTS ELECTRONICALLY, AS PER 11 CFR §104.18. 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 SARI PICKERALL AT OUR TOLL FREE NUMBER (800)424-9530. OUR DIRECT LOCAL NUMBER IS (202)694-1130.

SINCERELY,

PATRICIA CARMONA
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION (RAD)

2950E976067
CT/PRR
20092630362



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2008 DEC 19 A 11:15

SENSITIVE

December 19, 2008

MEMORANDUM

To: The Commission

Through: Joseph F. Stoltz *JFS*
Acting Staff Director

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

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

By: Jill Sugarman *JS*
Reviewing Analyst

Subject: AF# 1840 – Carolene Mays for Congress and Angie Kuhn, as Treasurer
(C00445312)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

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

Attachment

29092630363



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 2008

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

AF# 1840 – Carolene Mays for Congress and Angie Kuhn, as Treasurer (C00445312)

On September 19, 2008, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2008 July Quarterly 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 September 22, 2008 of the Commission's RTB finding and civil money penalty. The letter, sent to the address of record, was returned to the Commission on October 24, 2008; however, a copy was sent to them via facsimile on October 9, 2008.

Respondents' Response

On October 28, 2008, the Commission received the written response ("challenge") from the Treasurer as well as a \$1,750 check for the civil money penalty. The Treasurer contends that the process is confusing, she did not know the report was due, and thought they could stop filing reports after the candidate lost the election. She acknowledges that inexperience is not a valid defense; however she disputes the size of the penalty and states that they have nothing left. She requests documentation of the penalty calculation, asks that the Commission reduce the fine, and accept the check as the final payment for the case.

Analysis

The July Quarterly Report was filed on September 3, 2008, 50 days late.

The Federal Election Campaign Act ("Act") states that the treasurer of an authorized committee of a candidate shall file a report for the period ending June 30 no later than July 15. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on the prescribed filing date to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

The respondents were notified on four occasions that they must file this report. On March 31, the Primary Election Report Notice which references the July Quarterly Report was sent via email to campaign@carolenemaysforcongress.com, the email address disclosed on their Statement of Organization. RAD's telecoms (written records of telephone conversations) show that on May 13 the Treasurer called the RAD Analyst to ask what report was due next. The Analyst told her it was the July Quarterly Report. They were notified a third time on June 21, when the July Quarterly Report Notice was sent via email to campaign@carolenemaysforcongress.com. The Committee was notified a fourth time when RAD sent the Non-Filer Notice on August 1. On September 3, the Treasurer called the RAD

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Analyst, said they just received the non-filer notice, and thought they did not have to file the report because they lost the race. The Analyst informed her that she still needed to file it. The report was filed that day.

At the time of the RTB finding, the Committee's July Quarterly Report disclosed \$35,949 in total receipts and \$55,185 in total disbursements which resulted in a level of activity totaling \$91,134. The administrative fine regulations include the four criteria used to calculate the amount of the civil money penalty. 11 C.F.R § 111.43. They are: the election sensitivity of a report, the level of activity on the late report, the number of days late, and the number of prior violations. The respondents have no prior violations, the July Quarterly Report is not election sensitive, and the report is considered not filed because it was filed more than 30 days after its due date. Using the schedule of penalties at 11 C.F.R § 111.43(a)(2) and the level of activity bracket of \$75,000 through \$99,999.99, the civil money penalty is $\$3,500 \times [1 + (.25 \times 0)]$ or \$3,500.

Negligence, inexperience, and the failure to know filing dates are included at 11 C.F.R. § 111.35(d) as examples of circumstances that are not considered reasonably unforeseen and beyond the respondents' control. The other issues raised in the challenge (the process is confusing, the candidate lost the election, and the committee has nothing left) also do not fall within the list of defenses enumerated at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. The Reviewing Officer, therefore, recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,500 (\$1,750 of which the respondents have already paid).

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 1840 involving Carolene Mays for Congress and Angie Kuhn, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1840 that Carolene Mays for Congress and Angie Kuhn, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,500 (\$1,750 of which the respondents have already paid); and
- (3) Send the appropriate letter.

Reviewing Analyst: Jill I. Sugarman

Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 – Declaration from RAD, Returned Envelope, Fax Transmittal Sheet, and Memorandum to File

Attachment 3 – Declaration from OAR

DECLARATION OF JILL I. SUGARMAN

1. I am the Reviewing Analyst in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Analyst, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2008 July Quarterly Report is due July 15, 2008. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on July 15 to be timely filed.
3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - (a) Page 1 of the Statement of Organization filed by Carolene Mays for Congress and Angie Kuhn, as Treasurer. According to the Commission's records, the document is dated February 1, 2008, was received on February 14, 2008, and lists "campaign@carolenemaysforcongress.com" as the Committee's email address; and
 - (b) Page 1 of the Summary Page and Page 4 of the Detailed Summary Page for the 2008 July Quarterly Report electronically filed by Carolene Mays for Congress and Angie Kuhn, as Treasurer. According to the Commission's records, the report covers the period from April 17 through June 30, 2008, and was received on September 3, 2008. Lines 24 and 26 list \$35,949.00 in total receipts and \$55,185.18 in total disbursements, respectively, for the reporting 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 9th of December, 2008.

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

29092630366

FEC
FORM 1

STATEMENT OF
ORGANIZATION

RECEIVED
FEC MAIL CENTER
2008 FEB 14 AM 8:09

Office Use Only

1. NAME OF COMMITTEE (In full) (Check if name is changed) Example: If typing, type over the lines. 12FE4M5

Caroline Mays for Congress

ADDRESS (number and street) 3247 Lindel Lane

(Check if address is changed) Indianapolis IN 46268

CITY STATE ZIP CODE

COMMITTEE'S E-MAIL ADDRESS Campaign@carolinemaysforcongress.com

COMMITTEE'S WEB PAGE ADDRESS (URL) www.carolinemaysforcongress.com

COMMITTEE'S FAX NUMBER 317-280-1085

2. DATE 02'01'2008

3. FEC IDENTIFICATION NUMBER C N/A

4. IS THIS STATEMENT X NEW (N) OR AMENDED (A)

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

Type or Print Name of Treasurer Angie Kuhn

Signature of Treasurer Angie Kuhn Date 02'01'2008

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office Use Only For further information contact: Federal Election Commission Toll Free 800-424-9530 Local 202-694-1100 FEC FORM 1 (Revised 12/2007)

2803953388092630367

**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

CAROLENE MAYS FOR CONGRESS

ADDRESS (number and street) 3247 LINDEL LANE

Check if different than previously reported. (ACC)

INDIANAPOLIS IN 46268

2. FEC IDENTIFICATION NUMBER C00445312 CITY STATE ZIP CODE STATE DISTRICT
3. IS THIS REPORT X NEW (N) OR AMENDED (A) IN 07

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

X 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:

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

Election on in the State of

5. Covering Period 04 17 2008 through 06 30 2008

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 Angie Kuhn

Signature of Treasurer Electronically Filed by Angie Kuhn Date 06 30 2008

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)

29092630368

DETAILED SUMMARY PAGE
of Disbursements

II. DISBURSEMENTS

COLUMN A
Total This Period

COLUMN B
Election Cycle-to-Date

17. OPERATING EXPENDITURES.....	55185.18	139858.18
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	250.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	250.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▷	55185.18	140108.18

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	17929.42
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	35949.00
25. SUBTOTAL (add Line 23 and Line 24).....	53878.42
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	55185.18
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	-1306.76

29092630369



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

December 29, 2008

Angie Kuhn, as Treasurer
Carolene Mays for Congress
3247 Lindel Lane
Indianapolis, IN 46268

C00445312
AF# 1840

Dear Ms. Kuhn:

On September 19, 2008, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Carolene Mays for Congress and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2008 July Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$3,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

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

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

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

Sincerely,

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

Jill I. Sugarman
Reviewing Analyst
Office of Administrative Review

Attachment

29092630370



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2009 JAN 15 A 10: 52

January 14, 2009

MEMORANDUM

SENSITIVE

To: The Commission

Through: Joseph F. Stoltz *JFS*
Acting Staff Director

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

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

By: Jill Sugarman *JS*
Reviewing Analyst

Subject: Final Determination Recommendation in AF# 1840 – Carolene Mays
for Congress and Angie Kuhn, as Treasurer (C00445312)

On September 19, 2008, the Commission found reason to believe (“RTB”) that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2008 July Quarterly Report. The Report was filed on September 3, 2008 and is considered not filed for purposes of the civil money penalty. As a result, 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.

On October 28, 2008, the Commission received their written response (“challenge”) and a \$1,750 check for the civil money penalty. After reviewing the challenge, the Reviewing Officer’s recommendation dated December 19, 2008 was forwarded to the Commission, a copy was forwarded 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 assess a \$3,500 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in

29092630371

their 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# 1840 involving Carolene Mays for Congress and Angie Kuhn, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1840 that Carolene Mays for Congress and Angie Kuhn, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,500 (\$1,750 of which the respondents have already paid); and
- (3) Send the appropriate letter.

29092630372

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 1840
Carolene Mays for Congress and Angie)
Kuhn, as Treasurer (C00445312))

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on January 29, 2009, the Commission decided by a vote of 6-0 to take the following actions in AF 1840:

1. Adopt the Reviewing Officer recommendation for AF 1840 involving Carolene Mays for Congress and Angie Kuhn, as Treasurer, in making the final determination.
2. Make a final determination in AF 1840 that Carolene Mays for Congress and Angie Kuhn, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$3,500 (\$1,750 of which the respondents have already paid).
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther and Weintraub voted affirmatively for the decision.

Attest:

January 29, 2009
Date

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

29092630373



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 13, 2009

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Angie Kuhn, as Treasurer
Carolene Mays for Congress
3247 Lindel Lane
Indianapolis, IN 46268

C00445312
AF# 1840

Dear Ms. Kuhn:

On September 19, 2008, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Carolene Mays for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2008 July Quarterly Report. By letter dated September 22, 2008, 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 October 28, 2008, the Office of Administrative Review received the written response from you challenging the RTB civil money penalty and a check for \$1,750.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Carolene Mays for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$3,500 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 December 29, 2008.

The \$1,750 payment for the outstanding balance of the civil money penalty was received on January 15, 2009.

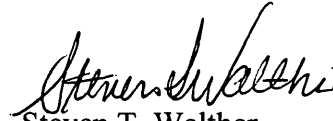
On January 29, 2009, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Carolene Mays for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$3,500. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the final determination recommendation is attached.

29092630374

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

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

On behalf of the Commission,



Steven T. Walther
Chairman

Attachment

29092630375

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 002 \$ 0000175000 BA# 1 01-14-09 20 4



From the rising sun to the place where it sets, the name of the Lord is to be praised. Psalms 113:3

CAROLENE R. MAYS 12/07
8247 LINDELL LN.
INDIANAPOLIS, IN 46268

20-1740
Date 1/6/09 0352

Pay to the Order of Federal Election Commission \$ 1750.00
Seventeen hundred & fifty 00/100 Dollars

JPMORGAN CHASE BANK, N.A.
INDIANAPOLIS, IN 46277
WWW.CHASE.COM

AF# 1840
For FEC# C-0045312
Carolene Mays

02001 LIFE CHECKS #988 PSALMS OF THE HEAVENS 1 800 524-3287 www.lifechecks.com

FOR: Carolene Mays for Congress

FEC ID#: C00445312

AF#: 1840

PAYMENT DUE DATE: 10/29/2008

PAYMENT AMOUNT DUE: \$3,500

(-7)
\$1750 Balance dues included
(\$1750 Previously paid)



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1840

DATE SCANNED 6/5/09

SCANNER NO. 2

SCAN OPERATOR Jmp

29092630377