



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1849

DATE SCANNED

11/25/09

SCANNER NO.

2

SCAN OPERATOR

SSS

29092643201



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 18, 2008

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

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

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

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

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

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

2008 SEP 18 PM 12:12
RECEIVED
FEDERAL ELECTION COMMISSION

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 Not 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 Filed	\$127,201	\$10,125
1836	C00439869	BALDERMANN FOR CONGRESS	BALDERMANN, TIM	KENDALL LYNCH	\$157,306	0		Not Filed	\$157,306 (est)	\$5,500
1837	C00204368	BI-COUNTY POLITICAL ACTION COMMITTEE (RKA SUFFOLK PAC)		IRA LAMEL	\$210,570	3	7/24/2008	9	\$72,611	\$1,706
1838	C00434458	BOB HILL FOR CONGRESS	HILL, ROBERT ANTHONY	KATHLEEN KUKIELKA	\$322,400	0		Not Filed	\$107,467 (est)	\$4,500
1839	C00436030	BUCKEY FOR SENATE	BUCKEY, JAY CLARK	ALBERT MARK BELIVEAU	\$270,971	0		Not Filed	\$67,743 (est)	\$2,700
1840	C00445312	CAROLINE MAYS FOR CONGRESS	MAYS, CAROLINE	ANGIE KUHN	\$276,909	0	9/3/2008	Not Filed	\$91,134	\$3,500
1841	C00417972	CHASE FOR SENATE	CHASE, KEN	FRANCIS G. CHASE	\$133,285	0		Not Filed	\$33,324 (est)	\$900
1842	C00450007	CINDY FOR CONGRESS	SHEEHAN, CINDY	CHRISTY MILLER	\$414,840	0	8/21/2008	Not Filed	\$186,972	\$5,500
1843	C00444208	CITIZENS FOR RAY MCKINNEY	MCKINNEY, RAYMOND LOUIS	LISA DARLENE MCKINNEY	\$151,251	0		Not Filed	\$4,273 (est)	\$250
1844	C00408823	COMMITTEE TO RE-ELECT BOBBY JINDAL INC	JINDAL, BOBBY	WILLIAM C. POTTER	\$106,358	0		Not Filed	\$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

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	DEMME FOR CONGRESS	DEMME, RANDY LEE	DEBORAH J. TOWEY	\$479,005	0	7/28/2008	13	\$35,670	\$460
1849	C00381517	DEMOCRATIC ADVANCEMENT PAC		CHRISTOPHER R. CRAMER	\$841,680	0	7/22/2008	7	\$84,104	\$1,100
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	\$390
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	\$489,598	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	\$184,553	\$5,000
1857	C00084822	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
1856	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
1860	C00435598	KNIGHT FOR US SENATE	KNIGHT, FRANKLIN RANDOLPH JR	FRANKLIN RANDOLPH KNIGHT JR	\$401,751	0		Not Filed	\$4,444 (est)	\$250
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	\$279,285	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	C00445286	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)	\$800
1868	C00414078	SALI FOR CONGRESS	SALI, WILLIAM T.	TERRY SALI	\$1,080,769	0	7/25/2008	10	\$201,475	\$2,750
1869	C00443465	SEAN O'KANE FOR US CONGRESS COMMITTEE	O'KANE, SEAN THOMAS	WILLIAM J. SAMMON	\$231,819	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	C00189480	SHEET METAL WORKERS INTERNATIONAL ASSOCIATION LOCAL 28 POLITICAL COMMITTEE		RICHARD L. KNICE	\$662,512	0	8/7/2008	23	\$112,014	\$3,475
1871	C00402889	SI INTERNATIONAL INC POLITICAL ACTION COMMITTEE		THOMAS E. DUNN	\$284,112	1	7/21/2008	6	\$43,853	\$400
1872	C00359696	SWANSON FOR U S SENATE COMMITTEE	SWANSON, JOHNNY III	JOHNNY SWANSON III	\$169,147	0		Not Filed	\$28,191 (est)	\$800
1873	C00253377	WYNN FOR CONGRESS	WYNN, ALBERT R.	MICHAEL 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;)
SALI FOR CONGRESS, and SALI,) AF# 1868
TERRY 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;)
DEMOCRATIC ADVANCEMENT PAC,) AF# 1849
and CRAMER, CHRISTOPHER R. 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
MC SHANE, MICHAEL MR. as treasurer;
PUCKETT FOR CONGRESS, and) AF# 1864
ARTHUR 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;
BALDERMANN FOR CONGRESS, and) AF# 1836
LYNCHY, KENDALL as treasurer;
BOB HILL FOR CONGRESS, and) AF# 1838
KATHLEEN KUKIELKA as treasurer;
BUCKEY FOR SENATE, and ALBERT) AF# 1839
MARK BELIVEAU as treasurer;
CAROLINE 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;
KNIGHT FOR US SENATE, and) AF# 1860
FRANKLIN RANDOLPH KNIGHT 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#1868 Decided by a vote of 6-0 to: (1) find reason to believe that SALI FOR CONGRESS, and SALI, TERRY 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#1849 Decided by a vote of 6-0 to: (1) find reason to believe that DEMOCRATIC ADVANCEMENT PAC, and CRAMER, CHRISTOPHER R. 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#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#1836 Decided by a vote of 6-0 to: (1) find reason to believe that BALDERMANN FOR CONGRESS, and LINCHEY, KENDALL 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#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 CAROLINE 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.

AF#1860 Decided by a vote of 6-0 to: (1) find reason to believe that KNIGHT FOR US SENATE, and FRANKLIN RANDOLPH KNIGHT 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,

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

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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Baucrly, 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 Baucrly, 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

29092643215



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 22, 2008

Christopher R. Cramer
Democratic Advancement PAC
600 1st Ave., Ste. 304
Seattle, WA 98104

C00381517
AF#: 1849

Dear Christopher R. Cramer:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. 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 filed on 7/22/2008, 7 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 Democratic Advancement PAC 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 \$1,100. It is due by 10/29/2008 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$84,104
Number of Days Late: 7
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

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

Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of your right to present such argument in a petition to the district court under 2 U.S.C. 437g. 11 C.F.R. 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

If You Do Not Pay the Calculated Civil Money Penalty or Submit a Challenge

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

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

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

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Additional information on the FEC's administrative fine program, including the final regulations, is located at the FEC's website at www.FEC.gov. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiannon 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 "DFM II", written in a cursive style.

Donald F. McGahn II
Chairman

29092643218

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 \$1,100 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: Democratic Advancement PAC

FEC ID#: C00381517

AF#: 1849

PAYMENT DUE DATE: 10/29/2008

PAYMENT AMOUNT DUE: \$1,100

29092643219

DAPAC

600 1st Avenue, Ste. 304
Seattle, WA 98104
(206) 382-0222 voice
(206) 382-0229 fax
<http://dapac.org>

FEC OFFICE
ADMIN REVIEW

2008 OCT 29 P 2:33

Democratic Advancement Political Action Committee

October 28, 2008

Federal Elections Commission
Office of Administrative Review
999 E Street
NW
Washington DC 20463

Re: AF 1849

To whom it may concern:

I am protesting this penalty and fine, as we have made every effort to comply with the Federal Election Finance Laws.

The reason the reports are late and we have trouble filing is your software upgrades. Your software upgrades are only usable with Microsoft operating system. We use Linux. I feel the FEC is violating federal law by only making their software and upgrades compliant with one proprietary operating system. I am challenging your finding and fine and want the opportunity to protest and present my case to the FEC members.

Our reports have been ready on time and we are ready and willing to file our reports and amendments by paper at any time, but we instructed not to do so by your representatives.

You did have one tech support person which could adapt your software and he has helped us file in a timely manner in the past, however, after the last upgrades, he is no longer working in tech support. I have attached a copy of the email we sent Oct 23, 2008.

Sincerely,



Thomas A. Cramer
President, DAPAC



Christopher R. Cramer
Treasurer, DAPAC

Paid for and authorized by the Democratic Advancement PAC (DAPAC) and not authorized by any candidate or candidate's committee. Contributions will be used in connection with federal elections and they are subject to the limits and prohibitions of the Federal Election Campaign Act. Federal law requires us to report the name, address, occupation and employer for each individual whose contribution aggregate in excess of \$200 in a calendar year. Corporate and non-citizen contributions are prohibited. Contributions are not tax deductible.

We downloaded the new software and the July report on a laptop with windows software but the report did not load into the new software. We cannot open the July report so we will have to re-enter all data (names, addresses, occupation, employer and amounts for all donors, names, addresses for all expenditures to submit the July report and then the 3rd qtr report.

PASTE 1470 FORM
FORM 99

FORWARD

F GC
999 E Street NW
WASH DC 20462

ATTN

29092643221



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

October 29, 2008

Christopher R. Cramer, as Treasurer
Democratic Advancement Political Action Committee
600 1st Avenue, Ste. 304
Seattle, WA 98104

C00381517
AF# 1849

Dear Mr. Cramer:

On October 29, 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 black ink, reading "Shawn Woodhead Werth". The signature is fluid and cursive.

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

29092643222

2008 NOV -5 A 11: 36

Date: November 5, 2008

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

AF#: 1849

Committee Name: Democratic Advancement PAC

Committee ID#: C00381517

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): Y

Attachment #: 1

Other Relevant Telecoms (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 July Quarterly Report Prior Notice, dated June 21, 2008.

-RTB Letter, dated September 22, 2008.

Attachment #: 3

Other RAD Information: (Y/N): N

Attachment#: N/A

29092643223

DER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, on the front if space permits.

Article Addressed to:

CHRISTOPHER R. CRAMER
DEMOCRATIC ADVANCEMENT
FAC
1011 1ST AVE., STE. 304
SEATTLE, WA 98104

COMPLETE THIS SECTION ON DELIVERY

A. Signature *T. Crum* ☐ Agent
X *T. Crum* ☒ Addressee

B. Received by (Printed Name) *T. Crum* Date of Delivery *1/25/04*

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number (transfer from service label) 7005 1820 0002 3465 6957

Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

290926432

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 Democratic Advancement PAC:
 - A) Prior Notice, dated June 21, 2008, referencing the 2008 July Quarterly Report (sent via electronic mail to: crayc@dapac.org);
 - B) 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 Democratic Advancement PAC electronically filed the 2008 July Quarterly Report with the Commission on July 22, 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



JULY QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

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-ELECTION REPORTING

Committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. For the pre-election reporting guidelines, 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 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.

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 ²	10/01/08 - 10/15/08	10/20/08	10/23/08
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 ³

PRE-ELECTION REPORTING

Committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. For the pre-election reporting guidelines, 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 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.

²Required only if committee makes contributions or expenditures in connection with the general election during the reporting period.

³Notice 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 committees supporting only Senate candidates, the Secretary of the Senate's) close of business on the last business day before the deadline.

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

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) filing on a quarterly basis must file a July Quarterly Report by July 15, 2008. 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

Quarterly 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, political committees that receive contributions or make expenditures, including independent expenditures, in excess of \$50,000 in a calendar year, or that have reason to expect to do so, must file all reports with the FEC electronically. Other 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

Quarterly 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. Please 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

Quarterly 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.

Other Means of Filing

Quarterly Reports filed by any other means—including first class mail and courier—must be received by the Commission (or for committees supporting only Senate candidates, 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.

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). 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 the 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).

48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures at any time during the calendar year—up to and including the 20th day before an election (including a special election)—are required to disclose this activity within 48 hours each time that the expenditures aggregate \$10,000 or more in connection with that election. This reporting requirement is in addition to the requirement to file 24-hour reports of independent expenditures each time disbursements for independent expenditures in connection with that election aggregate or exceed \$1,000 during the last 20 days—up to 24 hours—before an election. PACs and Party Committees must report independent expenditures that do not trigger the 48- or 24-hour reporting thresholds on their regularly-scheduled disclosure reports. See 11 CFR 104.4.

These reports are not required when a Party Committee or PAC makes a contribution directly to a candidate. For a chart of 2008 48- and 24-hour reporting periods for independent expenditures, consult the FEC website at www.fec.gov/info/charts_ie_dates_prez.shtml.

CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing when filing a report under the committee's current schedule. All reports filed after providing such a notice of change in filing frequency must follow the new filing schedule. Electronic filers must file this request electronically. Committees may change their filing frequency no more than once per calendar year.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2009 MAR 31 P 4: 28

March 31, 2009

MEMORANDUM

SENSITIVE

To: The Commission

Through: Robert A. Hickey
Staff Director

From: John D. Gibson
Chief Compliance Officer

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

By: Maureen Benitz
Reviewing Analyst

Subject: AF# 1849 – Democratic Advancement PAC and Christopher R.
Cramer, as Treasurer (C00381517)

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

29092643230



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 31, 2009

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

**AF# 1849 – Democratic Advancement PAC and Christopher R. Cramer, as Treasurer
(C00381517)**

On September 19, 2008, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2008 July Quarterly Report and made a preliminary determination that the civil money penalty was \$1,100 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.

Respondents' Response

On October 29, 2008, the Commission received the written response ("challenge") from the Treasurer as well as the Committee's President protesting the penalty and fine as they have made every effort to comply with the law. They assert that the FEC software upgrades were causing issues with their ability to file the report, as the Committee uses Linux as its operating system. They claim that the Commission is in violation of federal law because its software and upgrades only work with one proprietary operating system. They were willing to send in a paper copy of their reports, but had been instructed against doing this. Accompanying the challenge is an email which they say they sent on October 23, 2008. In response to a telephone conversation with the Reviewing Analyst who asked them to provide the October 23 email, they submitted a one page document on January 7, 2009.

Analysis

The 2008 July Quarterly Report was filed on July 22, 2008, 7 days late.

The Federal Election Campaign Act ("Act") states that the treasurer of committee not authorized by a candidate shall file, in an election year, a report for the period ending June 30 no later than July 15. 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i). Political committees required to file reports with the Commission must file in an electronic format if they received or expect to receive contributions or made or expect to make expenditures in a calendar year aggregating in excess of \$50,000. 2 U.S.C. § 434(a)(11) and 11 C.F.R. § 104.18(a). Reports filed electronically must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on July 15 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).

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The respondents assert that, because the FECFile software only works with one operating system, the Commission is violating federal law, and if the Commission's software worked with Linux, they would have filed the report in a timely manner.

The Act states that the Commission must promulgate standards for software vendors to use to develop electronic filing software and to make a copy of the software available to each person required to electronically file reports. 2 U.S.C. § 434(a)(12). The Commission's regulations at 11 C.F.R. § 104.18(d) require that electronically filed reports shall conform to the technical electronic filing specifications requirements. In addition to its own FECFile software, the Commission provides on its website a list of software vendors who offer electronic filing software as well as programming tools for software vendors. Thus, the Commission has complied with the Act as it has promulgated electronic filing software standards, developed technical specification requirements, and provided electronic filers with several software sources: the Commission's electronic filing software (which it provides for free) or electronic filing software provided by other vendors.

According to the Information Technology Division ("ITD") Manager's response, the respondents are correct that the Linux operating system is not supported by FECFile. This is made clear from the information provided to electronic filers at the Electronic Filing section of the Commission's website as well as in the FECFile User's Manual for unauthorized committees. The website article and User's Manual give electronic filers the minimum Windows operating system requirements they need to use the FECFile software and clearly state that no other operating system is supported.

The ITD Manager also points out that the respondents had previously used the FECFile software to successfully upload reports. This includes the two prior reports, the 2007 Year End and 2008 April Quarterly Reports, which were filed using Version 6.1.1.3. The respondents do not indicate if they were using the Linux operating system when they filed these reports but it does show that they had successfully used the then-current version of the FECFile software to file the reports.

On July 16, 2008, a 12-hour non-filer email notification was sent to barbara_cramer28@yahoo.com alerting them that the 2008 July Quarterly Report had not been filed. The same day, the EFO logs show that Ms. Cramer downloaded the FECFile software. They did not call the Electronic Filing Office ("EFO") until July 22. Based on the EFO telephone records, there were three phone conversations on this day between the Committee's representatives (the Treasurer and his wife) and two members of the EFO staff, Sebene Smith and Carlos Luna, the Operations Director.

It is clear from the July 22 conversations that the respondents were using an older version of the software (Version 5.3.1.0) to try to file the July Quarterly Report instead of the current version they downloaded on July 16 and 22. In addition to helping them download and install the current software version, Mr. Luna was able to determine which Windows emulator the respondents used (WINE) and, from his research on the internet, found the installation run instructions for this Windows emulator. He then walked Ms.

Cramer through these instructions and helped her install the FECFile software. She successfully converted the Committee's data set (*.dcf) and uploaded the July Quarterly Report that same day.

Subsequent to the filing of the July Quarterly Report, the EFO staff spoke with several representatives of the Committee about their use of the Linux operating system. During these telephone conversations, the EFO staff stressed that the Linux operating system is not supported by FECFile and they must use a Windows based system.

The administrative fine regulations specifically state that failure to use filing software properly is not a reasonably unforeseen circumstance. 11 C.F.R § 111.35(d). Their challenge fails to address any of the three valid excuses at 11 C.F.R § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances.

Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,100.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 1849 involving the Democratic Advancement PAC and Christopher R. Cramer, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1849 that the Democratic Advancement PAC and Christopher R. Cramer, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,100; and
- (3) Send the appropriate letter.

Reviewing Analyst: Maureen Benitz

Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 –


Attachment 3 – Declaration from RAD

Attachment 4 – Declaration from OAR

29092643233

DECLARATION OF MAUREEN BENITZ

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. It is the practice of the Commission's Electronic Filing Office to document all calls to or from committees regarding an error message they receive while using the FECFile software. It is also this Office's practice to maintain an Electronic Filing section on the Commission's web site at <http://www.fec.gov/electfil/electron.shtml> for the use of committees and treasurers who are electronic filers and want information about the FECFile software. Included in this section are: a list of the minimum system requirements to use FECFile; the FECFile Update List, which lists the updates made during each new build release; programming tools for software vendors; and a User's Manual for PAC & Party Committees.
4. I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of:
 - a) Page 1 of the Summary Page for the 2008 July Quarterly Report electronically filed by Democratic Advancement PAC and Christopher R. Cramer, as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2008, and was received on July 22, 2008; and
 - b) Page 1 of the Summary Page for the Amended 2008 July Quarterly Report electronically filed by Democratic Advancement PAC and Christopher R. Cramer, as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2008, and was received on January 6, 2009
5. 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 31st of March, 2009.


Maureen Benitz
Reviewing Analyst
Office of Administrative Review
Federal Election Commission

29092643234



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Electronic Filing

Since 2001, electronic filing has become the preferred method for committees to file reports and statements to the FEC. In general, a committee must file all reports and statements electronically if their total contributions or total expenditures exceed, or expect to exceed, \$50,000 in a calendar year. The requirement to file electronically does not apply to Senate candidate committees. Refer to your Campaign Guide for more information.

This section of the website provides information about electronic filing.

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FECFile

FECFile is a Windows based electronic report filing application. This easy to use software enables filers to record and track information required for reporting to the Commission and to securely submit this data electronically. The software contains a validation utility to perform checks on certain data fields prior to submission and a high-speed image generator to create a paper rendering of the report among other features.

 [Sign up to receive notification any time the Commission's free electronic filing software, FECFile, is updated.](#)

The software is free of charge to the general public. User manuals for the software are available as well.

Minimum system requirements are:

- PC Type computer system
- 8MB RAM
- 3.5 High density floppy diskette drive and/or CD drive
- Microsoft Windows 95, 98, NT, 2000, ME, XP, or Vista operating system

NOTE: No other operating system is supported.

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Page last modified January 2, 2008

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FECFile Update List

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New! Build 6.3.1.1

Release date – March 10, 2009

Updates:

- Corrected a problem where all transactions would auto-itemize.

Build 6.3.1.0

Release date – March 10, 2009

Updates:

- Form 1 updated for Lobbyist/Registrant regulations.
- Values display correctly for summary pages, Form 3 and Form 3PS, sections III/Column C and IV/Column C.
- New "Go to Page Number" function when viewing a report.

Build 6.2.1.0

Release date – June 9, 2008

Updates:

- New data converter tool for importing (.csv to ASCII 28).
- Revised import instructions and made clarifications on the import layouts.
- Changes to Form 1 (new fields).
- Changes to Form 9 (new fields).
- Schedule H6 - output mapping of Act/Event corrected .
- Form 1 - "None" has been removed as a type of connected organization.
- Form 3X, Line 16 - In-Kind check-box removed.
- Percentage outputs corrected for mapping and made consistent across all forms and schedules.
- Year-End Report for Monthly filers will now print the correct check-box.
- Removed previous filing ID field from the "Close report" process.
- Form 3Z-1 pop-up updated and can now be filed with any report.
- Back-Reference fields are now populated for transaction splits.
- Schedule C - added "Memo" check-box.
- Schedule C - added "Personal funds" check-box.
- Form 3X, Schedule B refunds - added "Refund to Prior Calendar Year's Receipt."
- Form 3, Schedule B refunds - added "Refund to Prior Election Cycle Receipt."
- Form 3P, Schedule B refunds - added "Refund to Prior Election Cycle Receipt."
- Schedule L - "Beginning COH" now carries forward from previous Year-End reports.
- Schedule L - Column B totals now appear instantly, no longer after closing the DCF and re-

opening.

- Affiliated Committee pop-up added.
- Redesignation transactions now generated as memo.
- Schedule B - Beneficiary validation removed.
- Merge Names feature to include middle name exception to prompt if one middle name is blank.
- FECLoad - Background status window modified to be more descriptive.
- FECPrint, Form 3P - Added the "-P" to the schedules to reflect the paper rendition.
- FECPrint - Text Record Description modified to avoid overlapping TranID.
- FECPrint, Schedule C2 - Guarantor State field now maps correctly.
- FECPrint, Schedule C/C1 - Convert all loan percentage decimals to percent values (.0450 to 4.5%).
- FECPrint Form 6 - Added "Electronically Filed by" to signature .

Build 6.1.1.3

Release date - January 24, 2008

Update:

- Merge feature corrected so that like records merge properly (state codes).

Build 6.1.1.2

Release date - January 17, 2008

Updates:

- Corrected an import problem where data fields were importing offset.
- Form 3Z-1 now can be created and submitted with any report that contains "12/31" or "6/30" in its coverage period prior to the candidate's General Election. Pop-up reminder message only appears on Year-End and July Quarterly Reports.
- District codes now output with preceding "0" if the district code is 1-9.
- Schedule B CCM/CAN (candidate committee/candidate) now outputting to correct data fields.
- Form 24 aggregate feature removed.
- Campaign committees now able to link a candidate to committee in the Individuals/Organizations.
- Schedule L now outputting Field Column A "11. Ending Cash on Hand".
- Software installation now retains existing upload settings from previous version.
- Schedule H4 activity check-boxes now print correctly.
- Form 1, Name Change and Address Change Check-boxes, now print correctly.
- Corrected schedule titles on the printed Form 3P.
- Form 9, Employer and Occupation Fields are now printing.

Build 6.1.1.1

Release date - January 2, 2008

Updates:

- New software splash screen.
- New Form 5.
- New Form 9.
- "Update Committee List" feature has been enhanced. It now contains and loads current contribution limits in addition to the FEC master committee list.

- New transaction check-box to force aggregate memo activity on Schedule A and Schedule Es.
- Added text description "H4" to the summary page line number 21B.
- Corrected leading space problem in memo text created by a forgiven loan.
- Terminated committees are now removed from the FEC download Committee List.
- Corrected Form 3P run-time error on new disbursements window.
- Added presidential category code to validation for Form 3P, Schedule B.
- Corrected FECFile data output to read "11AI", instead of "11A1".
- Field 27 of Schedule C, if populated in the .fec output file, will now show "13".
- Removed duplicate primary/general options listed in transaction pull-down.
- New pop-up encourages F3 filers to change election cycle on Year-End Reports of even years.
- Schedule E aggregate totals now aggregate accurately based on calendar year per election and office sought.
- Changed default location for the validator output file.
- Added "Recount" to the primary/general pull-down options.
- Added feature to auto-archive, if an archive folder exists.
- Added military state codes to transaction pull-down.
- FECFile output now eliminates the requirement for quotes around text.
- FECFile output now contains separate fields for all names components (last, first, middle, prefix, suffix).
- FECFile now outputs district codes always as two digits.
- Corrected regulation citation in the "Personal Funds" pop-up to reflect "100.33".
- Corrected the F1 "None" functionality to not replace Authorized Committees with the word "None".
- Import formats have been updated to meet Version 6.1 specifications.
- Schedule F interface corrected to only allow the entry of a Designated Committee or a Subordinate Committee per transactions.

Build 5.3.1.2**Release date – June 20, 2007****Updates:**

- Aggregate totaling problem from Build 5.3.1.1 corrected.

Build 5.3.1.1**Release date – June 8, 2007****Updates:**

- Validation output file error corrected (temp file now defaults to FECFile folder, instead of the root directory).
- MS Vista compatible

Build 5.3.1.0**Release date – February 6, 2006****Updates:**

- Check Limits function updated with current contribution limits.
- Help function hyperlink updated with the current FEC web site address for obtaining user

manuals.

- Corrected the spelling of "Massachusetts" in the state drop down of the Individuals/Organizations function.
- FECPrint viewer corrected to prevent overlapping of text for larger filings.
- FECPrint viewer corrected to accommodate scrolling for large filings (missing scroll bar).

Build 5.2.0.1

Release date – February 10, 2005

Updates:

- F3X, line 11i and 11ii Column B totals, now show on the printed report.
- F1 now has a 'Signed By' field so that the report can be signed by the assistant treasurer.
- The Schedule H1 check-boxes can now be used and selected even if 50% is selected.

Build 5.2.0.0

Release date – February 2, 2005

Updates:

- Validation routine will run, even if the election cycle field is not filled in on Form 99 and Form 1.
- Form 99 – A carriage return may now be used when entering memo record information in the Form 99.
- Form 3P no longer requires a state to be selected when creating a report. However, the option to enter a state remains as part of this transaction entry.
- The error message associated with transaction and name imports is more descriptive to support proper use of new name fields.
- Printed reports are improved to address some text, content, and format issues.
- General print parameters now print 10 transactions / names per page, rather than 20 to assure universal support for all printer types.
- F1 (Agent/Affiliate Window) defaults to: "Business, Financial institution..." entity type, when adding a new affiliation. This makes it possible to enter "None" or other user text if there is no match in the list/search box.
- Category Code for Form 99, now excludes "Conduit Type – MSJ" from the list of category codes.
- Cloning for in-kind transactions is no longer allowed. Due to the complexity of in-kind transactions, these are to be directly entered. Note: Probable cause of "run-time error" issue, experienced with the deleting of cloned in-kind transactions.
- Refund calculation for Schedule A has been modified so that if a refund to an entity is created, then the aggregate of that entity will be reduced by the refund amount.
- Schedule L now provides a delete function and will also be automatically amended when filers amend the parent report.
- A new search function allows filers to search transactions based on a text matching search, present the results in a separate window, and work with the search results as though in the "All Transactions" window.
- Support for loan handling has been enhanced. When a loan is forgiven or the forgiven status rescinded (as indicated by checking or un-checking the forgiven box on the loan screen) the system automatically generates a memo noting the action.
- Joint Fundraisers on Form 2, are selectable in the drop down list as "PAC/Affiliated".
- The FEC ID label for the information entry screens now changes to match information needed for each selectable drop down item (e.g., Candidate ID for drop down item "Candidate").
- The system now routes committees to complete committee information before proceeding to enter

reports.

- A Miscellaneous Document is now also labeled as Form 99 in the form type menu.
- The screen now remains at a transaction, (after the transaction is selected for viewing or modification), instead of returning to the top of the list of transactions.
- The validator has been updated to include new forms and checks including embedded quotes and federal funds total checks.
- When an unauthorized committee is entering their committee information the "Authorized Candidate Field" is grayed out since it not applicable.
- The upload function, and the .ini has new default URLs for SSL and direct connections, linking with enhanced server sites for FEC filing.
- The import function is updated to import the description field for H4s, and to exclude an extra field in Schedules A/B.
- Schedule L allows creation of a receipt from the 'View Receipt' page.
- Line # 30a and 30b are included in the choices for loan/debt payments.
- Software includes the recent changes to the Schedule H Series.
- User manuals have been updated (not yet posted).
- The 'None' radio selection will auto-fill the name with "None" on F1/F2.
- The Debt Owed By Committee now prints on the correct line number (10).
- Loans Made now generates a memo text when forgiving a loan.
- The dial-up string for the test server now reflects the correct number.
- When the 'Open All' option is selected on the menu bar, all windows in FECfile now open.
- The Due Date For Loans is free text and prints correctly.
- The HDR version in the output *.fec file reflects 5.2 as the filing format.
- 'Public Communications' now added as an event type.
- The spelling of the word 'FUNDRAISER' has been corrected on the printed form of Schedule H2.

Build 5.1.2.0

Release date – January 21, 2004

Updates:

- "Copy All" function in Committee Lookup populates Organization field for non-individuals rather than Last Name field.
- "Print Preview" function works from all the transaction views

Build 5.1.1.0

Release date – January 7, 2004

Updates:

- "Names" format change implemented for improved query and clarity - format Version 5.1
- F3P expenditure state allocation added.
- Form 2 can be amended.
- Form 1 candidate state is picked up from Candidate name information if Committee information is blank.
- Form 99 codes updated.
- Memo text update now indicates that the file needs to be saved.
- Partnership records can be entered even if the date range falls in the period of a closed report.
- Check number and account identifier added to SA/SB.
- Debt-to-payments itemization problem corrected.
- 24 hour notices show the aggregates.

- Obsolete loans/debts/accruals no longer show in the loans and debts window.
- F3P verbiage changed to improve clarity.
- Clipboard size for copying Validator window increased
- SC/1 allows interest rate to be alphanumeric (like SC).
- F99 text limit increased: 20,000 characters.
- Software help content removed, replaced with a reference to the user manual on the FEC web-site.
- Download Menu item reads "Update Committee List."

Build 2.0**Release date - July 2, 2003****Updates:**

- Disabled ability to open and work from READ ONLY data files.
- Updated F99 Document Type codes.
- Added reminder pop-up message upon closing report for F3Z-1 filers.
- Enabled text copy and paste from FECheck (validator) output.
- Revised H4 print presentation to sort transactions by event first, then by date, then by order entered into software.
- Improved ability to enter multiple account names for softmoney accounts.
- Limited transactions per page on schedules from 20 to 10 to prevent truncation during printing.
- Enabled 'Cash on Hand' for F3X to display in Column B when no other activity is reported.
- Corrected F3X Column B 18(a) and 18(b) totaling bug.
- Corrected bug that continued reporting Debt/Loan after being forgiven.
- Corrected H4 bug that duplicated the event type within the description field.

Build 1.0**Release date – April 10, 2003****Updates:**

- Corrected F3X Line 21a (H4) totaling error.
- Corrected F3X summary page column b line 20 totaling error.
- Enabled error/warning descriptions for FECheck5 validation output.
- Disabled ability to delete special events.
- Disabled ability to create in-kind SA/SB in SL.
- When importing from DCF 4 Changed Admin/Voter drive from dcf 4 to Administrative.
- Category code values updated.
- Enabled Schedule F memo text to be created, viewed and printed.
- Updated warning message received when user tries to modify a closed report to read: "This report is already closed..." instead of "This report is already filed...."

Build 0.0**Release date – March 14, 2003****Bipartisan Campaign Reform Act (BCRA):**

- SL has been added.
- F3X has been updated with the new summary page with SL, line 18 and line 30.

- Schedule H5 and H6 have been added to F3X.
- Schedule H1 modified to reflect version 5 BCRA layout.

Updates:

- F3 has 3Z-1 right click option to generate 3Z-1.
- SA has increased limits for F3s; SB has Refund check box.
- Form 99 can select Document type.
- Category code has been added to all the expenditures.
- Schedule F has "Increased limits" checkbox.
- You can add Schedule F to F24 now.
- New system events for Generic Voter Drive and Exempt activity added.
Administrative/Voter Drive has been modified to reflect only Administrative.
- YE does not select default dates.
- Form 2 fax number has been added

Page updated March 11, 2009



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Vendor Tools 6.3

[New]

[Updated 2/26/2009]

If you experience any difficulty using these tools, contact the FEC electronic Filing office at 202-694-1667.

Electronic Filing Specifications Requirements — specifications for all reports and schedules required to be filed with the Commission.

Validation software — a program designed to check files to ensure compliance with the FEC format requirements. The package also includes sample files that comply with the validation specifications.

Executable and related .DLL — files necessary to upload validated reports to the FEC web site via modem and TCP/IP.

If you have any questions about electronic filing, or would like more information, please call toll free 1-800-424-9530 ext. 1667 or locally 202-694-1667.

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FECFile Installation and Setup

Before creating reports and filing electronically with FECFile, the software must be installed on the computer. Installation and setup of the committee using the FECFile setup program may be accomplished quickly, but prior to installation, the system must meet the minimum requirements shown below:

Minimum System Requirements

- PC type computer system
- 8 megabytes of RAM
- Microsoft Windows 5, 8, XP, ME or NT 4, 2000 operating system
- 3.5 High Density Floppy Diskette Drive and/or CD Drive
- Modem or Network Internet Connection (to file electronically and download software)

PLEASE NOTE: No other operating system is currently supported.

PLEASE NOTE: It is has been found that selecting an installation directory other than the default can cause the program to operate abnormally. Therefore, it is required that you use the default installation path when installing the software.

PLEASE NOTE: It is has been found running more than one version of FECFile at a time may cause the program to operate abnormally. Therefore, it is strongly advised that you uninstall a previous version(s) of FECFile prior to installing the current version of FECFile. Uninstalling FECFile does not remove data files that have been created. It is always best practice to back up all data files. This especially true when changing applications. Data files are saved in the default directory, unless you save them in another location upon creation.

**FEC
FORM 3X****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than 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

Democratic Advancement PAC

ADDRESS (number and street)

600 1st Ave. Ste. 304

Check if different
than previously
reported. (ACC)

Seattle

WA

98104

2. FEC IDENTIFICATION NUMBER

C00381517

CITY

STATE

ZIP CODE

3. IS THIS
-
- REPORT

x

NEW
(N) ORAMENDED
(A)

4. TYPE OF REPORT
-
- (Choose One)

(b) Monthly
Report
Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)
(Non-Election
Year Only)

(a) Quarterly Reports:

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12)
(Non-Election
Year Only)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

April 15
Quarterly Report (Q1)x July 15
Quarterly Report (Q2)October 15
Quarterly Report (Q3)January 31
Quarterly Report (YE)July 31 Mid-Year
Report (Non-election
Year Only) (MY)Termination Report
(TER)(c) 12-Day
PRE-Election
Report for the:

Primary (12P)

Convention (12C)

General (12G)

Special (12G)

Runoff (12R)

Election on

in the
State of(d) 30-Day
Post-Election
Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period

04

01

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

Christopher R. Cramer

Signature of Treasurer

Electronically Filed by Christopher R. Cramer

Date

07

18

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 3X**
(Rev. 12/2004)

**FEC
FORM 3X****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than 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

Democratic Advancement PAC

ADDRESS (number and street)

600 1st Ave. Ste. 304

Check if different
than previously
reported. (ACC)

Seattle

WA

98104

2. FEC IDENTIFICATION NUMBER

C00381517

CITY

STATE

ZIP CODE

3. IS THIS
REPORTNEW
(N)

OR

X

AMENDED
(A)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
Quarterly Report(YE)July 31 Mid-Year
Report(Non-election
Year Only) (MY)Termination Report
(TER)(b) Monthly
Report
Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)
(Non-Election
Year Only)

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12)
(Non-Election
Year Only)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

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

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12G)

Election on

in the
State of(d) 30-Day
Post -Election
Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period 04 01 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 Christopher R. Cramer

Signature of Treasurer Electronically Filed by Christopher R. Cramer

Date 01 06 2009

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 3X**
(Rev. 12/2004)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

April 2, 2009

Christopher R. Cramer, as Treasurer
Democratic Advancement Political Action Committee
600 1st Avenue, Ste. 304
Seattle, WA 98104

C00381517
AF# 1849 and AF# 1893

Dear Mr. Cramer:

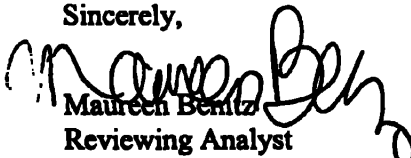
On September 19 and December 10, 2008, the Federal Election Commission ("Commission") found reason to believe ("RTB") that the Democratic Advancement Political Action Committee and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to timely file the 2008 July Quarterly Report and failing to file the 2008 October Quarterly Report, respectively. The Commission also made a preliminary determination that the civil money penalty was \$1,100 for the July Quarterly Report and \$5,000 for the October Quarterly Report based on the schedule of penalties at 11 C.F.R. § 111.43.

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

You may file with the Commission Secretary a written response to the recommendations 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 numbers in your response. Your response may not raise any arguments not raised in the 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 final determinations in these matters.

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,


Maureen Benitz
Reviewing Analyst
Office of Administrative Review

Attachment

29092643248

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

DAPAC

Democratic Advancement PAC
600 1st Avenue, Ste. 305
Seattle, WA 98104

2009 APR 13 P 4:42

April 12, 2009

Federal Election Commission
Commission Secretary
999 E Street, NW
Washington, DC 20463

Committee Designation: C00381517
AF# 1849 and AF# 1893

Dear sir:

This will serve as my written response and challenge to the recommendations of the office of Administrative Review under the name of reviewing analyst Maureen Bemtz.

Noted in the review is the act 2U.S.C. 434(a)(12) which states that the commission must promulgate standards for software vendors to use to develop electronic filing software and make a copy of the software available to each person required to electronically file reports. The commission did not abide by this law because the law stating vendors clearly meant all vendors not a select group of vendors using a single operating system. Further regulations at 11C.F.R. 104.18(d) require that electronically filed reports shall conform to the technical electronic filing specification requirements. This law was violated when the electronically filing specifications were designed to favor the development under one proprietary operating system. This violates these mandates along with federal laws requiring open and democratic access to all systems not just certain proprietary systems. in addition not allowing for integration with a Linux operating system and allowing only support for on proprietary system is clearly a violation of federal law and the two prior stated mandates of the FEC. These violations of mandates caused the result, even though we used best efforts, not to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond our control and these circumstances did not change but were exacerbated by updates in the commission's software and change in staff that had no knowledge of other operating systems.


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ADMINISTRATIVE
REVIEW

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We believe the fine should be dismissed and our committee and other committees should be allowed to use Linux based operating systems and the FEC should allow the same level of support they do the one propriety operating system they do support.

Sincerely your,



Thomas A. Cramer
President DAPAC



Christopher R. Cramer
Treasurer DAPAC

Paid for and authorized by the Democratic Advancement PAC (DAPAC). Contributions will be used in connection with federal elections and they are subject to the limits and prohibitions of the Federal Election Campaign Act. Federal law requires us to report the name address, occupation and employer for each individual whose contribution aggregate in excess of \$200 in a calendar year. Corporate and non-citizen contributions are prohibited. Contributions are not tax deductible.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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FEDERAL ELECTION
COMMISSION
SECRETARIAT

2009 JUN 25 P 2:46

June 25, 2009

SENSITIVE

MEMORANDUM

To: The Commission

Through: Robert A. Hickey *[Signature]*
Staff Director

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

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

By: Maureen Benitz *[Signature]*
Reviewing Analyst

Subject: Final Determination Recommendation in AF# 1849 – Democratic
Advancement PAC and Christopher R. Cramer, as Treasurer
(C00381517)

On September 19, 2008, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2008 July Quarterly Report. As a result, the Commission also made a preliminary determination that the civil money penalty was \$1,100 based on the schedule of penalties at 11 C.F.R. § 111.43.

On October 29, 2008, the Commission received their written response ("challenge"), from Christopher R. Cramer, the Treasurer, and Thomas A. Cramer, the President. After reviewing the challenge, the Reviewing Officer's recommendation ("ROR"), dated March 31, 2009, 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 \$1,100 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).

On April 13, 2009, the Commission received, via facsimile, their response to the ROR from the Treasurer and the President. In the response, additional information was

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submitted, specifically they say that the Commission did not abide by 2 U.S.C. § 434(a)(12) because it "clearly meant all vendors not a select group of vendors using a single operating system." Furthermore, they state that the Commission violated the Act and 11 C.F.R. § 104.18(d) because the technical specifications favored one operating system and that federal laws require "open and democratic access to all systems not just certain propriety systems."

By letter dated May 6, 2009, OAR requested clarifying information from the respondents. This letter was sent via certified mail to the address of record. To date, it has not been claimed by the respondents. On May 15, a copy of the letter was sent via FedEx to an alternate address (18227 NE 24th St, Redmond, WA 98052) for the Committee. On May 18, the FedEx letter was delivered. To date, no response has been received from the respondents.

The Reviewing Analyst attempted to reach the respondents on two different occasions. The number originally provided by the respondents appears to be out of service. The Reviewing Analyst obtained an alternate number and left a voicemail asking for a representative to return her call. To date, the respondents have not contacted the Reviewing Analyst regarding the supplemental request for information.

The Reviewing Officer, therefore, recommends that the Commission make a final determination and assess a \$1,100 civil money penalty.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 1849 involving the Democratic Advancement PAC and Christopher R. Cramer, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1849 that the Democratic Advancement PAC and Christopher R. Cramer, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,100; and
- (3) Send the appropriate letter.

Attachment 1 – Response Received from Thomas A. Cramer and Christopher R. Cramer
Attachment 2 – Supplemental Request Sent to Respondents

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 1849
Democratic Advancement PAC and)
Christopher R. Cramer, as Treasurer)
(C00381517))

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on July 09, 2009, the Commission decided by a vote of 6-0 to take the
following actions in AF 1849:

1. Adopt the Reviewing Officer recommendation for AF 1849 involving
the Democratic Advancement PAC and Christopher R. Cramer, as
Treasurer, in making the final determination.
2. Make a final determination in AF 1849 that the Democratic
Advancement PAC and Christopher R. Cramer, as Treasurer, violated 2
U.S.C. § 434(a) and assess a civil money penalty of \$1,100.
3. Send the appropriate letter.

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

Attest:

July 9, 2009
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 16, 2009

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Christopher R. Cramer, as Treasurer
Democratic Advancement PAC
600 1st Avenue, Ste. 304
Seattle, WA 98104

C00381517
AF# 1849

Dear Mr. Cramer:

On September 19, 2008, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Democratic Advancement PAC and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to timely 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 \$1,100 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On October 29, 2008, the Office of Administrative Review received the written response from you as well as the Committee's President, challenging the RTB finding and civil money penalty.

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 the Democratic Advancement PAC and you, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$1,100 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 April 2, 2009.

On July 9, 2009, the Commission adopted the Reviewing Officer's recommendation and made a final determination that the Democratic Advancement PAC and you, as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$1,100. A copy of the final determination recommendation is attached.

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

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

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the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

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

If You Choose To Pay the Civil Money Penalty

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

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 Maureen Benitz 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

29092643255

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$1,100 for the 2008 July Quarterly Report.

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

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

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

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

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

PAYMENTS BY PERSONAL CHECK

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Democratic Advancement PAC

FEC ID#: C00381517

AF#: 1849

PAYMENT AMOUNT DUE: \$1,100

**AGREEMENT AS TO THE METHOD OF CERTIFYING
DEBTS SUBMITTED TO THE FINANCIAL MANAGEMENT SERVICE'S
CROSS-SERVICING PROGRAM**

This Agreement is submitted by: Federal Election Commission

Creditor Agency: Federal Election Commission

Date of Agreement: December 18, 2008

The Creditor Agency agrees that:

- I. This Agreement (henceforth referenced as 'Agreement') covers all debts, including updates, changes, and modifications (Debts) submitted by Electronic Transmission on or after the date of this Agreement, by the Creditor Agency (henceforth referenced as 'Agency') to the Financial Management Service (FMS), a bureau of the U.S. Department of the Treasury, for collection through the FMS's Cross-Servicing Program (Cross-Servicing).;
- II. The Agency will submit debts to Cross-Servicing via Electronic Transmission of "Add Records" or "Update Records," as described in the attached Exhibit A. Each time the Agency submits a Debt via an Add Record or Update Record, the Agency is certifying the Debt;
- III. Any person who submits Debts via an Add Record or Update Record has or will have delegated authority to certify the Debts on behalf of the head of the Agency, and the Agency will provide a copy of this Agreement to any such person; and,
- IV. By submitting Debts via an Add Record or Update Record, the person submitting such Debts is certifying to the U.S. Department of the Treasury, under penalty of perjury pursuant to 5 U.S.C. § 5514, 31 U.S.C. § 3716, 31 U.S.C. § 3720A, and 28 U.S.C. § 1746, that to the best of his or her knowledge and belief, the following is true and correct:
 1. **Valid Debts.** The debts are delinquent, valid and legally enforceable in the amounts stated.
 2. **No Bar to Collection.** The debts are not subject to any circumstances that legally preclude or bar collection, including collection by offset. There are no foreclosures pending with respect to any collateral securing a debt. The Agency's records do not show that any debtor owing a debt has filed for bankruptcy protection. Alternatively, the Agency can clearly establish that any automatic stay has been lifted or is no longer in effect.

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3. ***Administrative Offset and Tax Refund Offset.*** If the Agency has established a profile instructing FMS to refer debts to the Treasury Offset Program (TOP) on its behalf for the purposes of tax refund and administrative offset, the person submitting such debts will be certifying to the following:

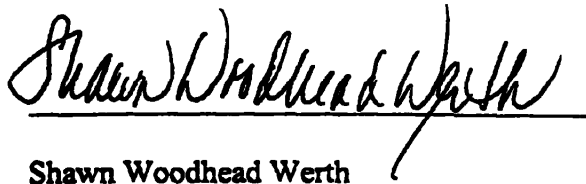
- a. The Agency has complied with all of the provisions of 31 U.S.C. § 3716, 31 U.S.C. § 3720A, 31 C.F.R. §§ 285.2 and 285.5, and the Federal Claims Collection Standards (31 C.F.R. Parts 900-904), as may be amended, as well as other statutes, regulations and policies applicable to collection by administrative offset and tax refund offset. No Debt is more than 10 years delinquent, except for those Debts that may be legally offset if more than 10 years delinquent.
- b. At least 60 days prior to the date of the certification (i.e., date of Electronic Transmission), the Agency has provided, or made a reasonable attempt to provide in accordance with applicable offset regulations, each debtor with:
 - i. written notification, at the debtor's most current known address, of the nature and the amount of the debt, the intention of the Agency to collect the debt through administrative offset and tax refund offset, including offset of State payments, and an explanation of the rights of the debtor;
 - ii. an opportunity to inspect and copy the records of the Agency with respect to the debt;
 - iii. an opportunity for review within the Agency of the determination of the Agency with respect to the debt, including the opportunity to present evidence that all or part of the debt is not past-due or legally enforceable; and
 - iv. an opportunity to enter into a written repayment agreement with the Agency
- c. The Agency has considered any evidence presented by the debtor and determined that the amount of the debt is past-due and legally enforceable and there are no pending appeals of such determination.
- d. The Agency has, at minimum, made the following reasonable efforts to obtain payment of the debt: demanded payment and provided the debtor with the notice and opportunities described in paragraph 3.b.

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4. ***Due Process Compliance for Salary Offset.*** With respect to the offset of Federal salaries, if the Agency has authorized FMS to set up an agency profile so that all debts are referred to TOP for offset of federal salary payments:
- a. The Agency has complied with all of the provisions of 5 U.S.C. § 5514, 5 C.F.R. §§ 550.1101-1110, and 31 CFR 285.7, as may be amended, as well as other statutes, regulations and policies applicable to collection by salary offset.
 - b. The Agency has provided, or made a reasonable attempt to provide, each debtor with the notice, opportunities, and considerations described in paragraphs 3.B. and 3.C. and the additional notices and opportunities, including the opportunity for waiver consideration and for a hearing, required for salary offset.
5. ***Consumer Reporting Agencies.*** The Agency has complied with all of the provisions of 31 U.S.C. § 3711(e) and the Federal Claims Collection Standards, as well as other statutes, regulations and policies applicable to the Agency's reporting of delinquent debts to consumer reporting agencies. The Agency has:
- a. determined that the debts are valid and overdue;
 - b. notified the debtor, more than 60 days prior to the date of the certification:
 - i. that the debt is overdue,
 - ii. that the Agency intends to disclose to a consumer reporting agency that the debtor is responsible for the debt,
 - iii. of the specific information to be disclosed to the consumer reporting agency, and
 - iv. of the debtor's rights to an explanation of the claim, to dispute the information in the Agency's records about the claim, and to administrative repeal or review of the claim; and
 - c. upon the request of a debtor, provided for a review of any debtor's claim, including an opportunity for reconsideration of the initial decision on the claim.

In addition, no debtor has repaid or agreed to repay the claim under a signed repayment agreement or filed for review of the claim.

6. ***Interest and Penalties.*** The Agency has complied with all of the provisions of 31 U.S.C. § 3717 and the Federal Claims Collection Standards, as well as other statutes, regulations and policies applicable to Agency's assessment of interest, penalties and administrative costs. The Agency has mailed or hand-delivered a written notice to all debtors explaining the Agency's requirements concerning the charges.

CERTIFICATION: Pursuant to 28 U.S.C. § 1746, I certify that I have been delegated authority to execute this Agreement on behalf of the head of my agency.



Shawn Woodhead Werth

Director, Office of Administrative Review



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1849

DATE SCANNED 11/25/09

SCANNER NO. 2

SCAN OPERATOR SES

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