



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1917

DATE SCANNED 6/24/09

SCANNER NO. 2

SCAN OPERATOR Jmp

29092630629



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

SENSITIVE

December 16, 2008

MEMORANDUM

TO: THE COMMISSION

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

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

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *NR* NATALIYA IOFFE/*DM* RHIANNON MAGRUDER/CHRIS RITCHEE
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION -- 2008 OCTOBER
QUARTERLY REPORT (NON-ELECTION SENSITIVE) FOR THE
ADMINISTRATIVE FINE PROGRAM

2008 DEC 16 02
 RECEIVED
 COMPLIANCE BRANCH

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

Federal Election Commission
Reason to Believe Circulation Report
2008 OCTOBER QUARTERLY Not Election Sensitive 10/15/2008 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
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1912	C00436790	BOB OLSON FOR U S SENATE	OLSON, ROBERT A.	LEE CONNERTON	\$158,365	0		Not Filed	\$31,273 (est)	\$900
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1917	C00448423	GREG SOWARDS FOR CONGRESS LLC	SOWARDS, GREGORY EDDIE	KIMBALL HAKES	\$628,017	0		Not Filed	\$209,339 (est)	\$6,500
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1920	C00444844	KOPLIN FOR CONGRESS	KOPLIN, ANDREW DAVID	RALPH J. STEPHENS	\$682,097	1	10/30/2008	15	\$8	\$125
1921	C00444406	OGONOWSKI FOR SENATE	OGONOWSKI, JAMES	KATHLEON HAAS OGONOWSKI	\$1,108,035	0	11/13/2008	29	\$3,913	\$170

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12/15/2008 10:28 AM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1922	C00443558	SABRIN FOR SENATE	SABRIN, MURRAY	CHRISTOPHER R. WHALEN, CPA	\$1,315,150	0	11/19/2008	Not Filed	\$12,867	\$500
1923	C00443465	SEAN O'KANE FOR US CONGRESS COMMITTEE	O'KANE, SEAN THOMAS	WILLIAM J. SAMMON	\$231,618	1		Not Filed	\$1,000	\$312
1924	C00414821	STEVE RATHJE FOR US SENATE	RATHJE, STEVE	KENNETH R. KOLEK	\$210,598	0		Not Filed	\$30,085 (est)	\$900

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2008)
October Quarterly Report (Non-Election)
Sensitive) for The Administrative Fine)
Program:)
OGONOWSKI FOR SENATE, and) AF# 1921
KATHLEON IIAAS OGONOWSKI as)
treasurer;)
KOPPLIN FOR CONGRESS, and RALPH) AF# 1920
J STEPHENS as treasurer;)

BOB OLSON FOR U S SENATE, and LEE) AF# 1912
CONNERTON as treasurer:)

GREG SOWARDS FOR CONGRESS) AF# 1917
LLC, and KIMBALL HAKES as treasurer;)

SABRIN FOR SENATE, and) AF# 1922
CHRISTOPHER R WHALEN CPA as)
treasurer;)

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SEAN O'KANE FOR US CONGRESS) AF# 1923
COMMITTEE, and WILLIAM J)
SAMMON as treasurer;)
STEVE RATHJE FOR US SENATE, and) AF# 1924
KENNETH R KOLEK as treasurer;)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on December 18, 2008 the Commission took the following actions on the Reason To Believe Recommendation - 2008 October Quarterly Report (Non-Election Sensitive) for The Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 16, 2008, on the following committees:

AF#1921 Decided by a vote of 6-0 to: (1) find reason to believe that OGONOWSKI FOR SENATE, and KATHLEON HAAS OGONOWSKI 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#1920 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.

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AF#1912 Decided by a vote of 6-0 to: (1) find reason to believe that BOB OLSON FOR U S SENATE, and LEE CONNERTON 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#1917 Decided by a vote of 6-0 to: (1) find reason to believe that GREG SOWARDS FOR CONGRESS LLC, and KIMBALL HAKES 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#1922 Decided by a vote of 6-0 to: (1) find reason to believe that SABRIN FOR SENATE, and CHRISTOPHER R WHALEN CPA 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#1923 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#1924 Decided by a vote of 6-0 to: (1) find reason to believe that STEVE RATHJE FOR US SENATE, and KENNETH R KOLEK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

December 23, 2008
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 22, 2008

Kimball Hakes
Greg Sowards for Congress LLC.
2916 Moese Ln.
Las Cruces, NM 88007

C00448423
AF#: 1917

Dear Kimball Hakes:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through September 30th, shall be filed no later than October 15th. 2 U.S.C. 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 12/18/2008, the FEC found that there is reason to believe ("RTB") that Greg Sowards for Congress LLC. and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before October 15th. Based on the FEC's schedules of civil money penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at the RTB stage is \$6,500. It is due by 1/27/2009 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$209,339
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

To Pay the Calculated Civil Money Penalty

To pay the calculated civil money penalty, send the enclosed remittance and your payment to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

To Challenge the RTB Finding and/or Calculated Civil Money Penalty

To challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found on page one, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received by

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1/27/2009. Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty. The FEC will only consider challenges that are based on a factual error in the RTB finding; miscalculation of the calculated civil money penalty by the FEC; or your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, a failure of Commission computers or Commission-provided software despite you seeking technical assistance from Commission personnel and resources; a widespread disruption of information transmissions over the Internet that is not caused by the Commission's or your computer systems or Internet service provider; and severe weather or other disaster-related incident. **Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, negligence; delays caused by vendors or contractors; treasurer and staff illness, inexperience or unavailability; committee computer, software, or internet service provider failures; failure to know filing dates; and failure to use filing software properly.** Your response must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. 111.35.

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

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

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

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

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

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

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the public record in accordance with 11 C.F.R. 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

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

Sincerely,

A handwritten signature in black ink, appearing to read "DFM II", with a stylized flourish at the end.

Donald F. McGahn II
Chairman

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at RTB is \$6,500 for the 2008 October Quarterly Report.

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

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

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

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

The remittance and your payment are due by 1/27/2009. 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: Greg Sowards for Congress LLC.

FEC ID#: C00448423

AF#: 1917

PAYMENT DUE DATE: 1/27/2009

PAYMENT AMOUNT DUE: \$6,500

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2009 MAR 16 P 1:03

March 16, 2009

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ROBERT A. HICKEY
STAFF DIRECTOR *[Signature]*

FROM: JOHN D. GIBSON *[Signature]*
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

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

SUBJECT: ADMINISTRATIVE FINE PROGRAM –
FINAL DETERMINATION RECOMMENDATION FOR THE
2008 OCTOBER QUARTERLY REPORT (NON-ELECTION SENSITIVE)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2008 October Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents those committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR 111.34 and 11 CFR 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

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In addition, three (3) committees detailed below disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty at Final Determination (FD).

Bob Olson for US Senate (AF 1912) disclosed no activity after the RTB finding, which would result in no civil money penalty (previously assessed to be \$900).

Greg Sowards for Congress LLC (AF 1917) filed the 2008 October Quarterly Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$26,469 (previously estimated to be \$209,339), thus the fine would be lowered from \$6,500 to \$900.

Steve Rathje for US Senate (AF 1924) filed the 2008 October Quarterly Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$3,937 (previously estimated to be \$30,085), thus the fine would be lowered from \$900 to \$250.

RAD Recommendation

(1) _____

(2) Make final determination that all other political committees and their treasurers listed on the attached reports violated 2 U.S.C. 434(a) and assess the final civil money penalties so indicated.

(3) Send the appropriate letters.

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3/16/2009 8:30 AM

Federal Election Commission
 FD Circulation Report - Fine Paid
 2008 OCTOBER QUARTERLY Not Election Sensitive 10/15/2008 H_S_P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
1920	KOPPLIN FOR CONGRESS	KOPPLIN, ANDREW DAVID	C00444844	RALPH J. STEPHENS	10/30/2008	15	\$8	1	12/18/2008	\$125	\$125	01/29/2009	\$125
1921	OGONOWSKI FOR SENATE	OGONOWSKI, JAMES	C00444406	KATHLEON HAAS OGONOWSKI	11/13/2008	29	\$3,913	0	12/18/2008	\$170	\$170	01/22/2009	\$170

Federal Election Commission
 FD Circulation Report Fine Not Paid
 2008 OCTOBER QUARTERLY Not Election Sensitive 10/15/2008 H_S_P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
1912	BOB OLSON FOR U S SENATE	OLSON, ROBERT A.	C00436790	LEE CONNERTON		Not Filed	\$0	0	12/18/2008	\$900	88	\$0

1917	GREG SOWARDS FOR CONGRESS LLC	SOWARDS, GREGORY EDDIE	C00448423	KIMBALL HAKES	01/15/2009	Not Filed	\$26,469	0	12/18/2008	\$6,500	88	\$900
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1923	SEAN O'KANE FOR US CONGRESS COMMITTEE	O'KANE, SEAN THOMAS	C00443465	WILLIAM J. SAMMON		Not Filed	\$1,000	1	12/18/2008	\$312	88	\$312
1924	STEVE RATHJE FOR US SENATE	RATHJE, STEVE	C00414821	KENNETH R. KOLEK	02/13/2009	Not Filed	\$3,937	0	12/18/2008	\$900	88	\$250

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fines Final Determination)
Recommendation for the October Quarterly)
Report (Non Election Sensitive):)
OGONOWSKI FOR SENATE, and) AF# 1921
KATHLEON HAAS OGONOWSKI as)
treasurer;)
KOPPLIN FOR CONGRESS, and RALPH) AF# 1920
J STEPHENS as treasurer;)
BOB OLSON FOR U S SENATE, and LEE) AF# 1912
CONNERTON as treasurer;)

GREG SOWARDS FOR CONGRESS) AF# 1917
LLC, and KIMBALL HAKES as treasurer;)

SEAN O'KANE FOR US CONGRESS) AF# 1923
COMMITTEE, and WILLIAM J)
SAMMON as treasurer;)
STEVE RATHJE FOR US SENATE, and) AF# 1924
KENNETH R KOLEK as treasurer;)

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on March 17, 2009 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the October Quarterly Report (Non Election Sensitive) as recommended in the Reports Analysis Division's Memorandum dated March 16, 2009, on the following committees:

AF#1921 Decided by a vote of 6-0 to: (1) make a final determination that OGONOWSKI FOR SENATE, and KATHLEON HAAS OGONOWSKI as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1920 Decided by a vote of 6-0 to: (1) make a final determination that KOPPLIN FOR CONGRESS, and RALPH J STEPHENS as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1912 Decided by a vote of 6-0 to: (1) make a final determination that BOB OLSON FOR U S SENATE, and LEE CONNERTON as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1917 Decided by a vote of 6-0 to: (1) make a final determination that GREG SOWARDS FOR CONGRESS LLC, and KIMBALL HAKES as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#1923 Decided by a vote of 6-0 to: (1) make a final determination that SEAN O'KANE FOR US CONGRESS COMMITTEE, and WILLIAM J SAMMON as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1924 Decided by a vote of 6-0 to: (1) make a final determination that STEVE RATHJE FOR US SENATE, and KENNETH R KOLEK as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

March 18, 2009
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 19, 2009

Kimball Hakes as Treasurer
Greg Sowards for Congress LLC
2916 Moese Ln.
Las Cruces, NM 88007

C00448423
AF#: 1917

Dear Kimball Hakes,

On December 18, 2008, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Greg Sowards for Congress LLC and you as treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2008 October Quarterly Report. By letter dated December 22, 2008, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$6,500 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. Within 40 days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty. The amount of the civil money penalty has been changed to reflect the actual level of activity of your 2008 October Quarterly Report.

The FEC did not receive payment of the calculated civil money penalty or your written response within the time permitted. The FEC made a final determination on March 17, 2009 that you as treasurer and Greg Sowards for Congress LLC violated 2 U.S.C. § 434(a) and assessed a civil money penalty in the amount of \$900 in accordance with 11 C.F.R. § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$26,469
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

To Pay the Civil Money Penalty

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

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If You Do Not Pay the 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 ("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 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 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.

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

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,



Steven T. Walther
Chairman

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$900 for the 2008 October 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: Greg Sowards for Congress LLC

FEC ID#: C00448423

AF#: 1917

PAYMENT AMOUNT DUE: \$900

29092630650

QUALITY IS OUR PRIORITY FOR LOCKBOX 90582 9092630651
SEQ# 003 \$ 000090000 BA# 1 05-15-09 20 4



86-128/1122

NAME *Congress Sowards for Congress LLC*

ACCOUNT NO. _____

DATE *5/6/09*

PAY TO THE ORDER OF *Fed Elec Commission*

\$ *900* DOLLARS

Nine Hundred & no/100

CITIZENS BANK
OF LAS CRUCES
PO BOX 879 LAS CRUCES, NEW MEXICO 88004

MEMO *Vote Falls for Perry/Obama Greg Sowards*

FOR: Greg Sowards for Congress LLC

FEC ID#: C00448423

AF#: 1917

PAYMENT AMOUNT DUE: \$900

5-11



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1917

DATE SCANNED 6/24/09

SCANNER NO. 2

SCAN OPERATOR JMA

29092630652