



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1958

DATE SCANNED 8-17-09

SCANNER NO. 2

SCAN OPERATOR JmH

29092641464



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 30, 2009

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: ROBERT A. HICKEY  
STAFF DIRECTOR

FROM: JOHN D. GIBSON  
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *dc for PC*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/RHIANNON MAGRUDER/SARI PICKERALL *RM*  
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION - 2008 12 DAY PRE-  
GENERAL REPORT (UNAUTHORIZED QUARTERLY FILERS) AND  
30 DAY POST-GENERAL REPORT (UNAUTHORIZED/AUTHORIZED  
FILERS) FOR THE ADMINISTRATIVE FINE PROGRAM

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2009 MAR 30 P 3:33

Attached are three lists of political committees and their treasurers who failed to file or timely file the 2008 12 Day Pre-General and/or the 2008 30 Day Post-General Report(s) in accordance with 2 U.S.C. 434(a). The first list is comprised of unauthorized quarterly filers that made General Election contributions or expenditures from October 1, 2008 through October 15, 2008, and failed to file or timely file the 2008 12 Day Pre-General Report. The second list is comprised of unauthorized committees that failed to file or timely file the 2008 30 Day Post-General Report. The third list is comprised of authorized committees of candidates who participated in the November 4, 2008 General Election that failed to file or timely file the 30 Day Post-General Report.

The committees appearing on the 2008 12 Day Pre-General Report list either filed the report more than five (5) days after the due date but prior to four (4) days before the 2008 General Election (considered a late filed report), or failed to file the report prior to four (4) days before the General Election (considered a non-filed report). The committees appearing on the 30 Day Post-General Report list either failed to file the report, filed the report more than five (5) days after the due date but within thirty (30) days of the due date (considered a late filed report),

29092641465

or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with 11 C.F.R. 111.43, these committees should be assessed the civil money penalties indicated in the attachments.

As noted above, the 2008 12 Day Pre-General Report circulation list includes unauthorized quarterly filers that made General Election contributions or expenditures from October 1, 2008 through October 15, 2008, but failed to file or timely file the 2008 12 Day Pre-General Election report. In order to accurately identify these committees for administrative fine purposes, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 12 Day Pre-General Report (12G) submitted by an unauthorized quarterly filer was reviewed to ensure that it disclosed General Election contributions or expenditures made during the coverage dates of the report. Any report meeting this definition that was filed late is included in the list. Any report not disclosing general election contributions or expenditures during this period is not included in the list, as it is not a required filing.
- Every 30 Day Post-General Report (30G) submitted by an unauthorized quarterly filer that covered the period from October 1, 2008 through November 24, 2008 (55 days) was reviewed for activity which would have required the filing of a 12G. If our research indicated that a 12G was required, we utilized a three-step method to arrive at the activity on which to base the 12G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 12G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 27% (15 days (12G Filing Period)/55 days (30G Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 12G. If the same committee also failed to file the 30G in a timely manner, we based the 30G fine on the amount of the remaining level of activity. We arrived at this amount by subtracting the level of activity assigned to the 12G from the total amount of activity disclosed on the 30G. In this case, the committee will appear on both lists and will be assessed a fine for both the 12G and 30G based on the estimated levels of activity described above.

### **Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Reports 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 Reports.
2. Send the appropriate letters.

29092641466

Federal Election Commission  
Reason to Believe Circulation Report  
2008 PRE-GENERAL Election Sensitive 10/23/2008 UNAUTH\_Q

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1956	C00213231	A DUDA & SONS, INC. POLITICAL ACTION COMMITTEE	TRACY DUDA CHAPMAN	\$116,833	0	12/3/2008	Not Filed	\$8,250	\$600
1957	C00295097	AMERICAN IRON AND STEEL INSTITUTE POLITICAL ACTION COMMITTEE (STEEL PAC)	THOMAS GIBSON	\$251,156	0	12/4/2008	Not Filed	\$4,000	\$500
1958	C00034645	AMERICAN SOCIETY FOR CLINICAL LABORATORY SCIENCE POLITICAL ACTION COMMITTEE (FKA ASMT/PAC)	LINDA HICKOK	\$110,237	1	11/6/2008	Not Filed	\$1,000	\$625
1959	C00211250	AON CORPORATION POLITICAL ACTION COMMITTEE	PAUL HAGY	\$615,146	0	10/31/2008	Not Filed	\$27,258	\$1,400
1960	C00249359	BAKERY CONFECTIONERY TOBACCO WKRS & GRAIN MILLERS INT'L UNION LOCAL 19 POL ORG 'BCTGM'	THOMAS EDWARD	\$129,499	0	12/18/2008	Not Filed	\$2,893	\$500
1962	C00372862	BIKES BELONG COALITION, LTD. POLITICAL ACTION COMMITTEE	GARY SJOQUIST	\$109,242	0	12/8/2008	Not Filed	\$3,010	\$500
1963	C00390583	BROWNSTEIN HYATT FARBER SCHRECK POLITICAL ACTION COMMITTEE	STEVEN DEMBY	\$309,005	0	12/4/2008	Not Filed	\$2,000	\$500
1964	C00386300	CALUMET PAC	TERRENCE BRONOWSKI	\$496,285	0	12/1/2008	Not Filed	\$14,000	\$900
1965	C00099937	COOPER INDUSTRIES POLITICAL ACTION COMMITTEE	MR. TYLER W. JOHNSON	\$314,852	0	10/30/2008	7	\$7,000	\$170

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1966	C00130187	DADE COUNTY FIRE FIGHTERS, LOCAL 1403 PAC	JOAQUIN DEL CUETO	\$290,798	0	12/17/2008	Not Filed	\$8,829	\$600
1967	C00004952	ELECTRIC POWER ASSOCIATIONS OF MISSISSIPPI ACTION COMMITTEE FOR RURAL ELECTRIFICATION	MR. MICHAEL CALLAHAN	\$468,071	0	12/8/2008	Not Filed	\$3,000	\$500
1969	C00431981	HOMECARE & HOSPICE PAC	RUTH L. CONSTANT	\$252,603	0	11/26/2008	Not Filed	\$6,063 (est)	\$600
1970	C00138966	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 68 POLITICAL ACTION COMMITTEE	JOHN LOMBARDO	\$117,532	0	11/4/2008	Not Filed	\$8,500	\$600
1971	C00388462	ITC HOLDINGS CORP. PAC	ANNE JINKS	\$158,856	0	12/3/2008	Not Filed	\$2,240 (est)	\$500
1972	C00212522	KELLY SERVICES INC POLITICAL ACTION COMMITTEE (KELLYPAC)	JAMES D. MCINTIRE	\$155,917	0	1/31/2009	Not Filed	\$31,700	\$1,400
1974	C00409631	LOUISIANA REFORM PAC	JOHN C. SCHMIDT	\$405,337	0	2/27/2009	Not Filed	\$84,182	\$4,000
1975	C00272724	MAYNARD COOPER AND GALE PC PAC	EDWARD A. HOSP	\$122,266	0	12/4/2008	Not Filed	\$4,038 (est)	\$500
1976	C00421008	METAL LATHERS LOCAL 46 PAC	ROBERT LEDWITH	\$264,728	1	12/10/2008	Not Filed	\$8,138 (est)	\$750
1977	C00233304	NATIONAL ASSOCIATION OF INDUSTRIAL AND OFFICE PROPERTIES, DEVELOPMENT PAC (NAIOP-PAC)	ELIZABETH R. GREENE	\$422,814	0	12/4/2008	Not Filed	\$9,179 (est)	\$600

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1979	C00167627	NORTEL POLITICAL ACTION COMMITTEE	MARY JO DORR	\$240,104	0	12/3/2008	Not Filed	\$8,869	\$600
1980	C00216754	NORTH CAROLINA FARM BUREAU FEDERATION INC POL ACT CMTE INC (AKA) NC FARM BUREAU FARMPAC	H. JULIAN PHILPOTT, JR.	\$187,936	0	12/4/2008	Not Filed	\$3,058 (est)	\$500
1981	C00134742	PLASTERERS' AND CEMENT MASONS' ACTION COMMITTEE	EARL F. HURD	\$102,460	0	1/7/2009	Not Filed	\$3,589 (est)	\$500
1982	C00237065	PORTLAND CEMENT ASSOCIATION INC. PCA PAC	MR. RICHARD C. CREIGHTON	\$245,129	0	1/6/2009	Not Filed	\$2,240	\$500
1983	C00025395	PUBLIC SERVICE COMPANY OF NEW MEXICO RESPONSIBLE CITIZENS GROUP	MR. THOMAS SATEGNA	\$109,257	1	12/8/2008	Not Filed	\$2,873 (est)	\$625
1984	C00432252	REGIONS FINANCIAL CORPORATION POLITICAL ACTION COMMITTEE	VIRGINIA BEAR	\$887,679	0	12/1/2008	Not Filed	\$13,251 (est)	\$900
1985	C00174011	RETAIL, WHOLESAL & DEPARTMENT STORE UNION COMMITTEE ON POLITICAL EDUCATION (RWDSU COPE)	STUART H. APPELBAUM	\$181,673	0	11/5/2008	Not Filed	\$20,776	\$900
1986	C00220053	RICELAND FOODS, INC. PAC	BILL J. REED	\$124,465	0	12/5/2008	Not Filed	\$5,000	\$600
1987	C00428268	RIGHT TRACK PAC	HAL HYNEMAN	\$171,312	0	10/30/2008	7	\$23,013	\$220
1988	C00381459	SOCIETY FOR VASCULAR SURGERY POLITICAL ACTION COMMITTEE	REBECCA MARON	\$182,712	1	12/4/2008	Not Filed	\$3,102 (est)	\$625

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1989	C00120030	SOCIETY OF INDEPENDENT GASOLINE MARKETERS OF AMERICA PAC	ELAINE TALBOTT	\$495,580	0	12/1/2008	Not Filed	\$6,250	\$600
1990	C00148155	ST. LOUISANS FOR BETTER GOVERNMENT	SHELDON SANDMEL	\$115,326	1	11/6/2008	Not Filed	\$3,049	\$625

1992	C00228296	THE ASCAP LEGISLATIVE FUND FOR THE ARTS	SUSAN BOLTERS DORF	\$294,359	0	11/4/2008	Not Filed	\$7,189	\$600
1993	C00165878	UNITED EMP PAC, CENTRAL LOUISIANA ELECTRIC CO. INC.	MELISSA LOHMAN	\$207,535	0	11/24/2008	Not Filed	\$9,137	\$600
1994	C00235036	ZURICH HOLDING COMPANY OF AMERICA COMMITTEE FOR GOOD GOVERNMENT (Z-PAC)	THOMAS A. BRADLEY	\$610,834	0	11/4/2008	Not Filed	\$8,980	\$600

29092641471

Federal Election Commission  
 Reason to Believe Circulation Report  
 2008 POST-GENERAL Not Election Sensitive 12/04/2008 UNAUTH

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1995	C00010322	AMERICAN POSTAL WORKERS UNION COMMITTEE ON POLITICAL ACTION	TERRY R. STAPLETON	\$4,618,749	0	12/11/2008	7	\$467,571	\$3,900
1997	C00406405	BLOGPAC	CHRISTOPHER BOWERS	\$254,195	0	12/13/2008	9	\$60,625	\$975
1998	C00415752	BORDER HEALTH FEDERAL PAC	ERNIE PEREZ	\$802,565	0	1/29/2009	Not Filed	\$100,107	\$4,500
1999	C00165803	BUNCOMBE COUNTY REPUBLICAN PARTY	EDWARD S. OSADA	\$120,422	0	1/9/2009	Not Filed	\$6,675	\$300
2000	C00410589	CERNER CORPORATION	MARC NAUGHTON	\$263,666	0	12/26/2008	22	\$10,288	\$210
2001	C00130187	DADE COUNTY FIRE FIGHTERS, LOCAL 1403 PAC	JOAQUIN DEL CUETO	\$325,873	0	12/10/2008	6	\$35,074	\$320
2002	C00214304	DELHAIZE AMERICA POLITICAL ACTION COMMITTEE	TEROSS W. YOUNG	\$119,775	2	1/12/2009	Not Filed	\$17,149	\$750
2004	C00362178	FAMILY-PAC FEDERAL	D. PAUL CAPRIO	\$119,333	1	12/29/2008	25	\$5,249	\$218

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2005	C00354613	INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE	MARTIN MASCUILLI	\$129,868	0	1/9/2009	Not Filed	\$9,629	\$300
2006	C00276253	INTERNATIONAL BROTHERHOOD OF PAINTERS AND ALLIED TRADES DISTRICT COUNCIL 21 PAC	JOSEPH ASHDALE	\$1,553,623	0	1/8/2009	Not Filed	\$213,959	\$6,500
2007	C00212522	KELLY SERVICES INC POLITICAL ACTION COMMITTEE (KELLYPAC)	JAMES D. MCINTIRE	\$165,194	0	1/31/2009	Not Filed	\$9,277	\$300

2009	C00409631	LOUISIANA REFORM PAC	JOHN C. SCHMIDT	\$437,034	0	2/27/2009	Not Filed	\$31,696	\$900
2010	C00170696	MARSHALL AND ILSLEY CORPORATION POLITICAL ACTION COMMITTEE	DYANA L. PAPERFUS	\$132,557	0	1/6/2009	Not Filed	\$44,233	\$900
2011	C00421008	METAL LATHERS LOCAL 46 PAC	ROBERT LEDWITH	\$279,765	1	12/10/2008	6	\$15,037 (est)	\$162
2012	C00366922	METROPOLITAN TRANSPORTATION AUTHORITY POLICE BENEVOLENT ASSOCIATION PAC	RAYMOND GIMMLER	\$144,220	0	1/9/2009	Not Filed	\$11,485	\$500
2013	C00376384	MONROE COUNTY DEMOCRATIC COMMITTEE	LEIGH KEGERREIS	\$1,282,381	1	2/3/2009	Not Filed	\$18,918	\$625
2014	C00092247	NATIONAL ORGANIZATION FOR WOMEN PAC	LATIFA LYLES	\$489,092	0	12/23/2008	19	\$17,000	\$195
2015	C00452854	NEWAYGO COUNTY DEMOCRATIC EXECUTIVE COMMITTEE	CHARLES D. BENHAM	\$145,342	0	12/30/2009	Not Filed	\$8,713 (est)	\$300

29092641473

3/30/2009 12:23 PM

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2016	C00362210	O'NEILL AND ASSOCIATES PAC	SUSAN WATSON	\$109,606	0	1/14/2009	Not Filed	\$11,422	\$500
2017	C00165324	PHILADELPHIA JOINT BOARD UNITE HERE TIPS	MS. MILDRED SALDANA	\$153,568	0	2/23/2009	Not Filed	\$643	\$250
2018	C00134742	PLASTERERS' AND CEMENT MASONS' ACTION COMMITTEE	EARL F. HURD	\$114,160	0	1/7/2009	Not Filed	\$11,699 (est)	\$500
2019	C00192849	PLUMBERS AND PIPEFITTERS LOCAL UNION 74	VICTOR SALVATORE	\$103,604	0	1/6/2009	Not Filed	\$2,379	\$250
2020	C00143362	PLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE	PHIL TRUCKS, JR.	\$259,305	2	12/30/2008	26	\$16,460	\$345
2021	C00237065	PORTLAND CEMENT ASSOCIATION INC. PCA PAC	MR. RICHARD C. CREIGHTON	\$247,169	0	1/6/2009	Not Filed	\$2,040	\$250
2022	C00406553	PROGRESSIVE VOTERS OF AMERICA	PHILIP FIERMONTE	\$194,586	0	12/11/2008	7	\$50,021	\$825
2023	C00363812	RECREATIONAL FISHING ALLIANCE, PAC	TONI STEFANO	\$104,892	2		Not Filed	\$20,978 (est)	\$750
2024	C00153379	SIERRA PACIFIC EMPLOYEES POLITICAL ACTION COMMITTEE	JOHN VINSKI	\$140,541	1	12/11/2008	7	\$13,520	\$168
2025	C00278788	SUFFOLK COUNTY DETECTIVES ASSN INC., POLITICAL ACTION COMMITTEE	WILLIAM RATHJEN	\$173,246	2	1/6/2009	Not Filed	\$12,655	\$750
2026	C00363689	TALLATCHEE CREEK INC. PAC	ELIZABETH EMBER CONATSER	\$493,267	0	1/2/2009	29	\$40,900	\$780

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2028	C00400135	UNITED HEALTH SERVICES PAC, INC.	CHRIS C. DOWNING	\$192,434	0	1/8/2009	Not Filed	\$19,105	\$500
2029	C00377549	USAFARMWORKERPAC	STUART J. MITCHELL	\$104,586	0	12/30/2008	26	\$864	\$155
2030	C00417063	WEST VIRGINIA REPUBLICAN PARTY, INC.	MARY V. RIGGALL	\$880,366	0	12/15/2008	11	\$27,446	\$420
2031	C00048181	WISCONSIN BANKERS ASSOCIATION (WISBANKPAC)	MRS. DEBORAH RUFER	\$241,494	0	12/10/2008	6	\$27,016	\$320

Federal Election Commission  
Reason to Believe Circulation Report  
2008 POST-GENERAL Not Election Sensitive 12/04/2008 AUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2033	C00449876	COMMITTEE TO ELECT MARY WRIGHT	WRIGHT, MARY D.	MARY WRIGHT	\$343,017	1		Not Filed	\$57,169 (est)	\$3,375
2034	C00418293	COMMITTEE TO RE-ELECT HENRY HANK JOHNSON	JOHNSON, HENRY C. JR.	MALCOLM A. CUNNINGHAM	\$748,019	0	1/13/2009	Not Filed	\$52,265	\$2,700
2036	C00448241	DOUG TUDOR FOR CONGRESS	TUDOR, DOUGLAS DAVID	JON P. TUDOR	\$241,978	2	12/30/2008	26	\$37,596	\$1,080
2039	C00446641	JACK HOOGENDYK FOR US SENATE	HOOGENDYK JR, JACK	JACK HOOGENDYK	\$602,428	0	12/12/2008	8	\$177,298	\$2,000
2040	C00317842	KILPATRICK FOR UNITED STATES CONGRESS	KILPATRICK, CAROLYN MS.	MR. CARL STAFFORD	\$2,084,372	0	12/10/2008	6	\$37,329	\$320
2041	C00449629	REED FOR US SENATE 2008 INC	REED, CHRISTOPHER	KIMBERLY REED	\$117,880	0	1/14/2009	Not Filed	\$26,742	\$900
2042	C00449231	STRATEN FOR CONGRESS INC	STRATEN, ROLAND	RICHARD HOLLAND	\$139,752	0	12/10/2008	6	\$19,399	\$130

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation – )  
2008 12 Day Pre-General )  
Report(Unauthorized Quarterly Filers) and )  
30 Day Post-General Report )  
(Unauthorized/Authorized Filers) for the )  
Administrative Fine Program (2008 Pre- )  
General) (UNAUTH): )  
COOPER INDUSTRIES POLITICAL ) AF# 1965  
ACTION COMMITTEE, and JOHNSON, )  
TYLER W MR. as treasurer; )  
RIGHT TRACK PAC, and HAL ) AF# 1987  
HYNEMAN as treasurer; )  
A DUDA & SONS, INC. POLITICAL ) AF# 1956  
ACTION COMMITTEE, and TRACY )  
DUDA CHAPMAN as treasurer; )  
AMERICAN IRON AND STEEL ) AF# 1957  
INSTITUTE POLITICAL ACTION )  
COMMITTEE (STEEL PAC), and )  
GIBSON, THOMAS as treasurer; )  
AMERICAN SOCIETY FOR CLINICAL ) AF# 1958  
LABORATORY SCIENCE POLITICAL )  
ACTION COMMITTEE (FKA )  
ASMT/PAC), and LINDA HICKOK as )  
treasurer; )  
AON CORPORATION POLITICAL ) AF# 1959  
ACTION COMMITTEE, and HAGY, )  
PAUL as treasurer; )  
BAKERY CONFECTIONERY TOBACCO ) AF# 1960  
WKRS & GRAIN MILLERS INT'L )  
UNION LOCAL 19 POL ORG 'BCTGM', )  
and EDWARD, THOMAS as treasurer; )  
  
BIKES BELONG COALITION, LTD. ) AF# 1962  
POLITICAL ACTION COMMITTEE, and )  
GARY SJOQUIST as treasurer; )

29092641476

Federal Election Commission  
Certification for Administrative Fines  
March 31, 2009

BROWNSTEIN HYATT FARBER ) AF# 1963  
SCHRECK POLITICAL ACTION )  
COMMITTEE, and DEMBY, STEVEN as )  
treasurer; )  
CALUMET PAC, and TERRENCE ) AF# 1964  
BRONOWSKI as treasurer; )  
DADE COUNTY FIRE FIGHTERS, ) AF# 1966  
LOCAL 1403 PAC, and DEL CUEVO, )  
JOAQUIN as treasurer; )  
ELECTRIC POWER ASSOCIATIONS OF ) AF# 1967  
MISSISSIPPI ACTION COMMITTEE )  
FOR RURAL ELECTRIFICATION, and )  
CALLAHAN, MICHAEL - MR. as )  
treasurer; )

---

HEMPCARE & HOSPICE PAC, and ) AF# 1969  
CONSTANT, RUTH L as treasurer; )  
INTERNATIONAL UNION OF ) AF# 1970  
OPERATING ENGINEERS LOCAL 68 )  
POLITICAL ACTION COMMITTEE, and )  
JOHN LOMBARDO as treasurer; )  
ITC HOLDINGS CORP. PAC, and JINKS, ) AF# 1971  
ANNE as treasurer; )  
KELLY SERVICES INC POLITICAL ) AF# 1972  
ACTION COMMITTEE (KELLYPAC), )  
and JAMES D MCINTIRE as treasurer; )

---

LOUISIANA REFORM PAC, and ) AF# 1974  
SCHMIDT, JOHN C as treasurer; )  
MAYNARD COOPER AND GALE PC ) AF# 1975  
PAC, and EDWARD A HOSP as treasurer; )  
METAL LATHERS LOCAL 46 PAC, and ) AF# 1976  
ROBERT LEDWITH as treasurer; )  
NATIONAL ASSOCIATION OF ) AF# 1977  
INDUSTRIAL AND OFFICE )  
PROPERTIES, DEVELOPMENT PAC )  
(NAIOP-PAC), and ELIZABETH R )  
GREENE as treasurer; )

29092641477

NORTEL POLITICAL ACTION	)	AF# 1979
COMMITTEE, and MARY JO DORR as	)	
treasurer;	)	
NORTH CAROLINA FARM BUREAU	)	AF# 1980
FEDERATION INC POL ACT CMTE INC	)	
(AKA) NC FARM BUREAU FARMPAC,	)	
and PHILPOTT, H. JULIAN JR. as	)	
treasurer;	)	
PLASTERERS' AND CEMENT MASONS'	)	AF# 1981
ACTION COMMITTEE, and HURD,	)	
EARL F as treasurer;	)	
PORTLAND CEMENT ASSOCIATION	)	AF# 1982
INC. PCA PAC, and RICHARD C.	)	
CREIGHTON MR. as treasurer;	)	
PUBLIC SERVICE COMPANY OF NEW	)	AF# 1983
MEXICO RESPONSIBLE CITIZENS	)	
GROUP, and SATEGNA, THOMAS MR.	)	
as treasurer;	)	
REGIONS FINANCIAL CORPORATION	)	AF# 1984
POLITICAL ACTION COMMITTEE, and	)	
BEAR, VIRGINIA as treasurer;	)	
RETAIL, WHOLESALE &	)	AF# 1985
DEPARTMENT STORE UNION	)	
COMMITTEE ON POLITICAL	)	
EDUCATION (RWDSU COPE), and	)	
STUART H APPELBAUM as treasurer;	)	
RICELAND FOODS, INC. PAC, and	)	AF# 1986
REED, BILL J. as treasurer;	)	
SOCIETY FOR VASCULAR SURGERY	)	AF# 1988
POLITICAL ACTION COMMITTEE, and	)	
ROBERT ZWOLAK DR. as treasurer;	)	
SOCIETY OF INDEPENDENT	)	AF# 1989
GASOLINE MARKETERS OF AMERICA	)	
PAC, and ELAINE TALBOTT as treasurer;	)	
ST. LOUISANS FOR BETTER	)	AF# 1990
GOVERNMENT, and SANDMEL,	)	
SHELDON as treasurer;	)	

29092641478

THE ASCAP LEGISLATIVE FUND FOR ) AF# 1992  
THE ARTS, and BOLTERSDORF, SUSAN )  
as treasurer; )  
UNITED EMP PAC, CENTRAL ) AF# 1993  
LOUISIANA ELECTRIC CO. INC., and )  
MELISSA LOHMAN as treasurer; )  
ZURICH HOLDING COMPANY OF ) AF# 1994  
AMERICA COMMITTEE FOR GOOD )  
GOVERNMENT (Z-PAC), and )  
BRADLEY, THOMAS A as treasurer; )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on March 31, 2009 the Commission took the following actions on the Reason To Believe Recommendation – 2008 12 Day Pre-General Report (Unauthorized Quarterly Filers) and 30 Day Post-General Report (Unauthorized/Authorized Filers) for the Administrative Fine Program (2008 Pre-General) (UNAUTH) as recommended in the Reports Analysis Division's Memorandum dated March 30, 2009, on the following committees:

AF#1965 Decided by a vote of 6-0 to: (1) find reason to believe that COOPER INDUSTRIES POLITICAL ACTION COMMITTEE, and JOHNSON, TYLER W 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#1987 Decided by a vote of 6-0 to: (1) find reason to believe that RIGHT TRACK PAC, and HAL HYNEMAN 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.

29092641479

AF#1956 Decided by a vote of 6-0 to: (1) find reason to believe that A DUDA & SONS, INC. POLITICAL ACTION COMMITTEE, and TRACY DUDA CHAPMAN 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 Baucriy, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1957 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN IRON AND STEEL INSTITUTE POLITICAL ACTION COMMITTEE (STEEL PAC), and GIBSON, THOMAS 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 Baucriy, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1958 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN SOCIETY FOR CLINICAL LABORATORY SCIENCE POLITICAL ACTION COMMITTEE (FKA ASMT/PAC), and LINDA HICKOK 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, Pctersen, Waltber, and Weintraub voted affirmatively for the decision.

AF#1959 Decided by a vote of 6-0 to: (1) find reason to believe that AON CORPORATION POLITICAL ACTION COMMITTEE, and HAGY, PAUL 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#1960 Decided by a vote of 6-0 to: (1) find reason to believe that BAKERY CONFECTIONERY TOBACCO WKRS & GRAIN MILLERS INT'L UNION LOCAL 19 POL ORG 'BCTGM', and EDWARD, THOMAS 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#1962 Decided by a vote of 6-0 to: (1) find reason to believe that BIKES BELONG COALITION, LTD. POLITICAL ACTION COMMITTEE, and GARY SJOQUIST as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination

20092641400

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#1963 Decided by a vote of 6-0 to: (1) find reason to believe that BROWNSTEIN HYATT FARBER SCHRECK POLITICAL ACTION COMMITTEE, and DEMBY, STEVEN 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#1964 Decided by a vote of 6-0 to: (1) find reason to believe that CAJUMET PAC, and TERRENCE BRONOWSKI 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#1966 Decided by a vote of 6-0 to: (1) find reason to believe that DADE COUNTY FIRE FIGHTERS, LOCAL 1403 PAC, and DEL CUETO, JOAQUIN 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#1967 Decided by a vote of 6-0 to: (1) find reason to believe that ELECTRIC POWER ASSOCIATIONS OF MISSISSIPPI ACTION COMMITTEE FOR RURAL ELECTRIFICATION, and CALLAHAN, 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#1969 Decided by a vote of 6-0 to: (1) find reason to believe that HOMECARE & HOSPICE PAC, and CONSTANT, RUTH 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.

29092641481

AF#1970 Decided by a vote of 6-0 to: (1) find reason to believe that INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 68 POLITICAL ACTION COMMITTEE, and JOHN LOMBARDO 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#1971 Decided by a vote of 6-0 to: (1) find reason to believe that ITC HOLDINGS CORP. PAC, and JINKS, ANNE 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#1972 Decided by a vote of 6-0 to: (1) find reason to believe that KELLY SERVICES INC POLITICAL ACTION COMMITTEE (KELLYPAC), and JAMES D MCINTIRE 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#1974 Decided by a vote of 6-0 to: (1) find reason to believe that LOUISIANA REFORM PAC, and SCHMIDT, JOHN C 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#1975 Decided by a vote of 6-0 to: (1) find reason to believe that MAYNARD COOPER AND GALE PC PAC, and EDWARD A HOSP 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#1976 Decided by a vote of 6-0 to: (1) find reason to believe that METAL LATHERS LOCAL 46 PAC, and ROBERT LEDWITH 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#1977 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ASSOCIATION OF INDUSTRIAL AND OFFICE PROPERTIES, DEVELOPMENT PAC (NAIOP-PAC), and ELIZABETH R GREENE 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#1979 Decided by a vote of 6-0 to: (1) find reason to believe that NORTEL POLITICAL ACTION COMMITTEE, and MARY JO DORR 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#1980 Decided by a vote of 6-0 to: (1) find reason to believe that NORTH CAROLINA FARM BUREAU FEDERATION INC POL ACT CMTE INC (AKA) NC FARM BUREAU FARM PAC, and PHILPOTT, H. JULIAN 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#1981 Decided by a vote of 6-0 to: (1) find reason to believe that PLASTERERS' AND CEMENT MASONS' ACTION COMMITTEE, and HURD, EARL F 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#1982 Decided by a vote of 6-0 to: (1) find reason to believe that PORTLAND CEMENT ASSOCIATION INC. PCA PAC, and RICHARD C. CREIGHTON 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.

20092641483

AF#1983 Decided by a vote of 6-0 to: (1) find reason to believe that PUBLIC SERVICE COMPANY OF NEW MEXICO RESPONSIBLE CITIZENS GROUP, and SATEGNA, THOMAS 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#1984 Decided by a vote of 6-0 to: (1) find reason to believe that REGIONS FINANCIAL CORPORATION POLITICAL ACTION COMMITTEE, and BEAR, VIRGINIA 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#1985 Decided by a vote of 6-0 to: (1) find reason to believe that RETAIL, WHOLESALE & DEPARTMENT STORE UNION COMMITTEE ON POLITICAL EDUCATION (RWDSU COPE), and STUART H APPELBAUM 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#1986 Decided by a vote of 6-0 to: (1) find reason to believe that RICELAND FOODS, INC. PAC, and REED, BILL J. 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#1988 Decided by a vote of 6-0 to: (1) find reason to believe that SOCIETY FOR VASCULAR SURGERY POLITICAL ACTION COMMITTEE, and ROBERT ZWOLAK DR. 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#1989 Decided by a vote of 6-0 to: (1) find reason to believe that SOCIETY OF INDEPENDENT GASOLINE MARKETERS OF AMERICA PAC, and ELAINE TALBOTT 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#1990 Decided by a vote of 6-0 to: (1) find reason to believe that ST. LOUISANS FOR BETTER GOVERNMENT, and SANDMEL, SHELDON as treasurer

29092641484

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#1992 Decided by a vote of 6-0 to: (1) find reason to believe that THE ASCAP LEGISLATIVE FUND FOR THE ARTS, and BOLTERSDORF, SUSAN 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#1993 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED EMP PAC, CENTRAL LOUISIANA ELECTRIC CO. INC., and MELISSA LOHMAN 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#1994 Decided by a vote of 6-0 to: (1) find reason to believe that ZURICH HOLDING COMPANY OF AMERICA COMMITTEE FOR GOOD GOVERNMENT (Z-PAC), and BRADLEY, THOMAS A 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:

March 31, 2009  
Date

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

29092641485



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 6, 2009

Linda Hickok as Treasurer  
American Society for Clinical Laboratory Science  
Political Action Committee (FKA ASMT/PAC)  
6701 Democracy Blvd, Suite 300  
Bethesda, MD 20817

C00034645  
AF#: 1958

Dear Ms. Hickok:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election if your committee makes a contribution to or expenditure on behalf of a candidate in the general election. This report, covering the period through October 15, 2008, shall be filed no later than October 23, 2008. 2 U.S.C. § 434(a). Because records at the Federal Election Commission ("FEC") indicate that this activity was not disclosed prior to four (4) days before the General Election held on November 4, 2008, the report is considered not filed for the purpose of calculating the civil money penalty.

The Act was 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 March 31, 2009, the FEC found that there is reason to believe ("RTB") that American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and you as treasurer violated 2 U.S.C. § 434(a) by failing to file timely this report on or before October 23, 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 \$625. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-11.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment is due within forty (40) days of the finding, or by May 10, 2009, and is based on these factors:

Election Sensitivity of Report: Election Sensitive  
Level of Activity: \$1,000  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 1

29092641486

**To Pay the Calculated Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with 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**

If you should decide 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 within forty (40) days of the Commission's RTB finding, or May 10, 2009. 11 C.F.R. § 111.35(a). 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. 11 C.F.R. § 111.35(b). 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. *Id.* 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. 11 C.F.R. § 111.35(c). 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. 11 C.F.R. § 111.35(d). 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. § 111.36(c).

Pursuant to the Commission's regulations, the "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 American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and you as treasurer violated 2 U.S.C. § 434(a) and assess a civil money penalty.

29092641487

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.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. 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.

On behalf of the Commission,



Steven T. Walther  
Chairman

29092641400

-----  
**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 \$625 for the 2008 Pre-General 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 May 10, 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: American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC)

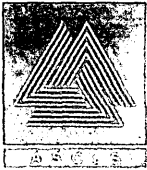
FEC ID#: C00034645

AF#: 1958

PAYMENT DUE DATE: May 10, 2009

PAYMENT AMOUNT DUE: \$625

29092641489



April 17, 2009

Office of Administrative Review  
Federal Election Committee  
999 E St., NW  
Washington, DC 20463

Identification Number: C00034645

Reference: AF# 1958

Dear Office of Administrative Review:

Pursuant to your letter of April 6, 2009, the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) the report in question was filed. I have attached the Federal Express receipt verifying your receipt of our report.

Your letter represents that the report was not filed which is in error. We would appreciate you correcting your files and eliminating the fine.

Feel free to contact us with any questions.

Very truly yours,

Ross R. Robinson  
Chief Financial Officer

29092641490

29092641491



<b>Invoice Number</b> 2-983-19955	<b>Invoice Date</b> Nov 10, 2008	<b>Account Number</b> [REDACTED]
--------------------------------------	-------------------------------------	-------------------------------------

**Dropped off:** Nov 06, 2008  
**Payor:** Shipper  
**Cust. Ref.:** NO REFERENCE INFORMATION  
**Ref.#:**

- The Earned Discount for this ship date has been calculated based on a revenue threshold of \$360.79
- Fuel Surcharge - FedEx has applied a fuel surcharge of 28.50% to this shipment.
- Distance Based Pricing, Zone 8
- Package sent from: 83201 zip code

<b>Automation</b>	USAB	<b>Sender</b>	DEBBIE SHELL
<b>Tracking ID</b>	864510889129	<b>Recipient</b>	FEC
<b>Service Type</b>	FedEx Priority Overnight		999 E ST NW
<b>Package Type</b>	FedEx Envelope		WASHINGTON DC 20463 US
<b>Zone</b>	08		
<b>Packages</b>	1		
<b>Rated Weight</b>	N/A		
<b>Delivered</b>	Nov 07, 2008 09:06		
<b>Svc Area</b>	A2		
<b>Signed by</b>	D.SHORT		
<b>FedEx Use</b>	031103178/0000252/_		

Transportation Charge	24.35
Earned Discount	-2.44
Fuel Surcharge	6.24
<b>Total Charge</b>	<b>\$28.15</b>

USD



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Via First Class Mail

May 8, 2009

Linda Hickok, as Treasurer  
American Society for Clinical Laboratory Science  
Political Action Committee  
6701 Democracy Blvd. Suite 300  
Bethesda, MD 20817

C00034645  
AF# 1958

Dear Ms. Hickok:

On May 8, 2009, the Commission received a written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding this challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

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

Shawn Woodhead Werth  
Reviewing Officer  
Office of Administrative Review

29092641492

**Date:** May 13, 2009

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

**AF#:** 1958

**Committee Name:** American Society for Clinical Laboratory Science Political Action  
Committee (FKA ASMT/PAC)

**Committee ID#:** C00034645

**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 March 30, 2008 and RTB Certification,  
dated March 31, 2009: Previously Forwarded**

**Attachment #:** N/A

**Certified Return Receipt (to be forwarded at later date if not yet received)(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

**-RTB Letter, dated April 6, 2009.**

**Attachment #:** 3

**Other RAD Information: (Y/N):** Y – Memo to File, Fax Transmittal

**Attachment#:** 4

29092641493

**SENDER: 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, or on the front if space permits.

Article Addressed to:  
Linda Hickok  
American Society For Clinical Laboratory  
Science PAC (Fka Asmt/PAC)  
701 Democracy Blvd Suite 300  
Bethesda, MD 20817

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

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 7015

Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

29092641491

**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 American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC):
- A) Reason-to-Believe Letter, dated April 6, 2009, referencing the 2008 12 Day Pre-General Report.
3. I hereby certify that I have searched the Commission's public records and find that American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) filed the 2008 12 Day Pre-General Report with the Commission on November 6, 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 13<sup>th</sup> day of May, 2009.



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

29092641495



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2009 MAY 28 P 2:33

May 28, 2009

MEMORANDUM

**SENSITIVE**

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: Reviewing Officer Recommendation in AF# 1958 – American  
Society for Clinical Laboratory Science PAC and Linda Hickok,  
as Treasurer (C00034645)

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

29092641496



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 28, 2009

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

AF# 1958 – American Society for Clinical Laboratory Science Political Action  
Committee (FKA ASMT/PAC) and Linda Hickok, as Treasurer (C00034645)

On March 31, 2009, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2008 12 Day Pre-General Report and made a preliminary determination that the civil money penalty was \$625 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on April 6, 2009 of the Commission's RTB finding and civil money penalty. A copy of the RTB letter was faxed to them on April 29.

**Respondents' Response**

On May 8, 2009, the Commission received the written response ("challenge") from Ross R. Robinson, Chief Financial Officer, requesting that the Commission eliminate the fine. He stated that the RTB finding was in error as it stated the report was not filed but the report was filed. As proof he provided a Federal Express Invoice showing that a package was delivered to the Commission on November 7, 2008. On May 8, the Commission also received a check from the Committee for \$625.

**Analysis**

The 2008 12 Day Pre-General Report was filed, via overnight delivery, on November 6, 2008, 14 days late. It includes a contribution to a federally registered candidate on Schedule B dated October 13, 2008.

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee shall file a pre-election report which shall be filed no later than the 12<sup>th</sup> day (or delivered to an overnight delivery service with an online tracking system and scheduled for next business day delivery no later than the 15<sup>th</sup> day) before any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election. 2 U.S.C. § 434(a)(4)(A)(ii) and 11 C.F.R. § 104.5(c)(1)(ii). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

The respondents claim that the RTB finding is in error because it states that the report was not filed, when in fact it was filed. Four factors are used to calculate the civil money penalty under the administrative fine regulations. 11 C.F.R. § 111.43. Two of these factors are the election sensitivity of the report and if the report is considered filed late or not filed. The 2008 12 Day Pre-General Report is an election sensitive report. If it is not filed prior to four days before the election (in this case, November 4), it is

29092641497

considered not filed for the purpose of the civil money penalty calculation. Thus, the RTB fine was correctly calculated.

The respondents' challenge fails to reach 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 \$625.

### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 1958 involving the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and Linda Hickok, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1958 that the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and Linda Hickok, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$625; and
- (3) Send the appropriate letter.

Reviewing Analyst: Maureen Benitz

### Attachments

Attachment 1 – Challenge Received from Respondents

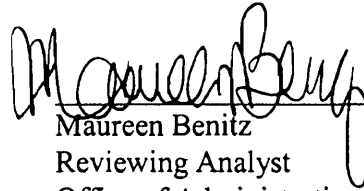
Attachment 2 – Declaration from RAD,

Attachment 3 – Declaration from OAR

29092641498

**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 12 Day Pre-General Report is due October 23, 2008. If the report is deposited by October 20<sup>th</sup> with an overnight delivery service with an online tracking system and scheduled for next business day delivery, it is considered timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of Page 1 of the Summary Page, 1 page of Schedule B and Envelope Replacement Page for Incoming Documents for the 2008 12 Day Pre-General Report filed by overnight delivery service by the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and Linda Hickok, as Treasurer. According to Commission records, the report was sent on November 6, 2008, received on November 7, 2008, and covers the period from October 1 through October 15, 2008. Schedule B lists one contribution made to Crowley for Congress on October 13, 2008. The box "General" is checked.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 28<sup>th</sup> of May 2009.

  
\_\_\_\_\_  
Maureen Benitz  
Reviewing Analyst  
Office of Administrative Review  
Federal Election Commission

29092641499



**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 1 OF 1

21b  22  23  24  25  26  
 27  28a  28b  28c  29  30b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

**AMERICAN SOCIETY FOR CLINICAL LABORATORY SCIENCE**

Full Name (Last, First, Middle Initial)

**A.**

Full Name (Last, First, Middle Initial): **LEADERSHIP FOR TODAY & TOMORROW**

Date of Disbursement: **10 13 2008**

Mailing Address: **625 310 ST NE SUITE #2**

City: **WASHINGTON** State: **DC** Zip Code: **20002**

Purpose of Disbursement: **CONTRIBUTION**

Candidate Name: **XAVIER BECERRA**

Office Sought:  House  Senate  President

Disbursement For:  Primary  General  Other (specify) ▼

State: **CA** District: **31ST**

Amount of Each Disbursement this Period: **500.00**

Category/Type

**B.**

Full Name (Last, First, Middle Initial): **CROWLEY FOR CONGRESS**

Date of Disbursement: **10 13 2008**

Mailing Address: **422 C ST NE LOWER LEVEL**

City: **WASHINGTON** State: **DC** Zip Code: **20002**

Purpose of Disbursement: **CONTRIBUTION**

Candidate Name: **JOSEPH CROWLEY**

Office Sought:  House  Senate  President

Disbursement For:  Primary  General  Other (specify) ▼

State: **NY** District: **7TH**

Amount of Each Disbursement this Period: **500.00**

Category/Type

**C.**

Full Name (Last, First, Middle Initial):

Date of Disbursement:

Mailing Address:

City: State: Zip Code:

Purpose of Disbursement:

Candidate Name:

Office Sought:  House  Senate  President

Disbursement For:  Primary  General  Other (specify) ▼

State: District:

Amount of Each Disbursement this Period:

Category/Type

SUBTOTAL of Disbursements This Page (optional)..... ▶

TOTAL This Period (last page this line number only)..... ▶ **1,000.00**

28039914033 28092641501

**Federal Election Commission**  
**ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS**  
 The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input checked="" type="checkbox"/> Overnight Delivery Service (Specify): <i>Fed Ex</i>	Shipping Date <i>11/6/08</i>
Next Business Day Delivery <input checked="" type="checkbox"/>	
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked

*[Signature]*  
 PREPARER  
 (3/2005)

*11/7/08*  
 DATE PREPARED

2803991469992641502



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

June 1, 2009

Linda Hickok, as Treasurer  
American Society for Clinical Laboratory Science  
Political Action Committee  
6701 Democracy Blvd., Suite 300  
Bethesda, MD 20817

C00034645  
AF# 1958

Dear Ms. Hickok:

On March 31, 2009, the Federal Election Commission ("Commission") found reason to believe ("RTB") that the American Society for Clinical Laboratory Science Political Action Committee and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2008 12 Day Pre-General Report. The Commission also made a preliminary determination that the civil money penalty was \$625 based on the schedule of penalties at 11 C.F.R. § 111.43.

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Maureen Benitz", is written over the typed name.

Maureen Benitz  
Reviewing Analyst  
Office of Administrative Review

Attachment

29092641503



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2009 JUN 26 P 2:46

June 25, 2009

MEMORANDUM

**SENSITIVE**

To: The Commission

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

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

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

By: Maureen Benitz *[Signature]*  
Reviewing Analyst

Subject: Final Determination Recommendation in AF# 1958 - American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and Linda Hickok, as Treasurer (C00034645)

On March 31, 2009, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failure to file the 2008 12 Day Pre-General Report, an election sensitive report. The Report was filed on November 6, 2008, and is considered not filed for purposes of the civil money penalty. As a result, on March 31, 2009, the Commission also made a preliminary determination that the civil money penalty was \$625 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 8, 2009, the Commission received their written response ("challenge"). On May 8, 2009, the \$625 RTB civil money penalty payment was received. After reviewing the challenge, the Reviewing Officer's recommendation dated May 28, 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 \$625 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).

29092641504

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in the respondents' challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a response has not been received.

**OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 1958 involving the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and Linda Hickok, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1958 that the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and Linda Hickok, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$625; and
- (3) Send the appropriate letter.

29092641505

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Final Determination Recommendation: ) AF 1958  
 American Society for Clinical Laboratory )  
 Science Political Action Committee )  
 (FKA ASMT/PAC) and Linda Hickok, as )  
 Treasurer (C00034645) )

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 1958:

1. Adopt the Reviewing Officer recommendation for AF 1958 involving the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and Linda Hickok, as Treasurer, in making the final determination.
2. Make a final determination in AF 1958 that the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and Linda Hickok, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$625.
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

29092641506



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 16, 2009

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Linda Hickok, as Treasurer  
American Society for Clinical Laboratory Science  
Political Action Committee (FKA ASMT/PAC)  
6701 Democracy Blvd., Suite 300  
Bethesda, MD 20817

C00034645  
AF# 1958

Dear Ms. Hickok:

On March 31, 2009, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2008 12 Day Pre-General Report, an election sensitive report. By letter dated April 6, 2009, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$625 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 8, 2009, the Office of Administrative Review received the written response from Ross R. Robinson, Chief Financial Officer, challenging the RTB finding and civil money penalty. On this same date, the Commission received the \$625 civil money penalty payment.

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 American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and you, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$625 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 June 1, 2009.

On July 9, 2009, the Commission adopted the Reviewing Officer's recommendation and made a final determination that the American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC) and you, as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$625. A copy of the final determination recommendation is attached.

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

29092641507

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

29092641508

FOR: American Society for Clinical Laboratory Science Political Action Committee (FKA ASMT/PAC)

FEC ID#: C00034645

AF#: 1958

57

PAYMENT DUE DATE: May 10, 2009

PAYMENT AMOUNT DUE: \$625

125N

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 002 \$ 000062500 BA# 2 05-08-09 20 4



ASCLS POLITICAL ACTION COMMITTEE 03/2000 6701 DEMOCRACY BLVD STE 300 BETHESDA, MD 20817-7500		1295 65-270550
PAY TO THE ORDER OF <u>FRC</u>		DATE <u>5/7/09</u>
<u>SIX HUNDRED TWENTY-FIVE</u> <u>25</u> <u>00/100</u> DOLLARS		\$ <u>625</u> <sup>00</sup>
SUNTRUST Money Market Account SunTrust Bank ACH RT 061000104		<i>Elmer C. Smith</i>
FOR _____		

29092641509



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1958

DATE SCANNED 8-17-09

SCANNER NO. 2

SCAN OPERATOR JmD

29092641510