



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2040

DATE SCANNED 7-20-09

SCANNER NO. 2

SCAN OPERATOR JMS

29092634205



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 *de 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

2009 MAR 30 P 3

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

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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),

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.

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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<br>CHAPMAN   | \$116,833 | 0  | 12/3/2008    | Not Filed | \$8,250  | \$600       |
| 1957 | C00295097    | AMERICAN IRON AND STEEL INSTITUTE POLITICAL ACTION COMMITTEE (STFFI PAC)               | THOMAS<br>GIBSON        | \$251,156 | 0  | 12/4/2008    | Not Filed | \$4,000  | \$500       |
| 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<br>EDWARD        | \$129,499 | 0  | 12/18/2008   | Not Filed | \$2,893  | \$500       |
| 1962 | C00372862    | BIKES BELONG COALITION, LTD. POLITICAL ACTION COMMITTEE                                | GARY<br>SJOQUIST        | \$109,242 | 0  | 12/8/2008    | Not Filed | \$3,010  | \$500       |
| 1964 | C00386300    | CALUMET PAC  | TERRENCE<br>BRONOWSKI   | \$496,285 | 0  | 12/1/2008    | Not Filed | \$14,000 | \$900       |
| 1965 | C00099937    | COOPER INDUSTRIES POLITICAL ACTION COMMITTEE   | MR. TYLER W.<br>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    | HEMOCARE & HOSPICE PAC  | RUTH L. CONSTANT     | \$252,603 | 0  | 11/26/2008   | Not Filed | \$6,063 (est) | \$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 FARM PAC | 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, WHOLESALE & 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 |

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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 |
|------|--------------|---|-------------------|-------------|----|--------------|-----------|----------------|-------------|
| 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. PAFENFUS | \$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       |

| 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       |
| 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       |
| 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     |
| 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 Post- )  
General) (AUTH): )

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JACK HOOGENDYK FOR US SENATE, ) AF# 2039  
and JACK HOOGENDYK as treasurer; )

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KILPATRICK FOR UNITED STATES ) AF# 2040  
CONGRESS, and CARL STAFFORD MR. )  
as treasurer; )  
STRATEN FOR CONGRESS INC, and ) AF# 2042  
RICHARD HOLLAND as treasurer; )

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COMMITTEE TO ELECT MARY ) AF# 2033  
WRIGHT, and MARY WRIGHT as )  
treasurer; )  
COMMITTEE TO RE-ELECT HENRY ) AF# 2034  
HANK JOHNSON, and MALCOLM A. )  
CUNNINGHAM as treasurer; )

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REED FOR US SENATE 2008 INC, and ) AF# 2041  
KIMBERLY REED as treasurer; )

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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 Post-General) (AUTH) as recommended in the Reports Analysis Division's Memorandum dated March 30, 2009, on the following committees:

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AF#2039 Decided by a vote of 6-0 to: (1) find reason to believe that JACK HOOGENDYK FOR US SENATE, and JACK HOOGENDYK 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 Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2040 Decided by a vote of 6-0 to: (1) find reason to believe that KILPATRICK FOR UNITED STATES CONGRESS, and CARL STAFFORD 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#2042 Decided by a vote of 6-0 to: (1) find reason to believe that STRATEN FOR CONGRESS INC, and RICHARD HOLLAND 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#2033 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT MARY WRIGHT, and MARY WRIGHT 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#2034 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO RE-ELECT HENRY HANK JOHNSON, and MALCOLM A. CUNNINGHAM 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#2041 Decided by a vote of 6-0 to: (1) find reason to believe that REED FOR US SENATE 2008 INC, and KIMBERLY REED 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.

29092634219

Federal Election Commission  
Certification for Administrative Fines  
March 31, 2009

Attest:

March 31, 2009  
Date

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

29092634220



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 6, 2009

Mr. Carl Stafford as Treasurer  
Kilpatrick for United States Congress  
P.O. Box 32175  
Detroit, MI 48232

C00317842  
AF#: 2040

Dear Mr. Stafford:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 30 Day Post-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled general election for which the candidate sought election. This report, covering the period through November 24, 2008, was due no later than December 4, 2008. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on December 10, 2008, 6 days late.

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 Kilpatrick for United States Congress and you as treasurer violated 2 U.S.C. § 434(a) by failing to file timely this report on or before December 4, 2008. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$320. 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: Not Election Sensitive  
Level of Activity: \$37,329  
Number of Days Late: 6  
Number of Previous Civil Money Penalties Assessed: 0

**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.

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### **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 Kilpatrick for United States Congress and you as treasurer violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 et seq. The FEC may take any and all appropriate

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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

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$320 for the 2008 Post-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**  
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FOR: Kilpatrick for United States Congress

FEC ID#: C00317842

AF#: 2040

PAYMENT DUE DATE: May 10, 2009

PAYMENT AMOUNT DUE: \$320

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION COMMISSION  
SECRETARIAT

2009 MAY 29 P 1:20

May 29, 2009

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: ROBERT A. HICKEY  
STAFF DIRECTOR

FROM: JOHN D. GIBSON  
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: <sup>MYI</sup> NATALIYA IOFFE/<sup>RM/MYS</sup> RHIANNON MAGRUDER  
COMPLIANCE BRANCH

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

Attached are six (6) 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 the RTB stage for failure to file or failure to timely file the 2008 12 Day Pre-General and/or the 2008 30 Day Post-General Report(s). The attached lists contain the following:

1. 2008 12 Day Pre-General Report (Unauthorized Quarterly Filers) – Paid
2. 2008 12 Day Pre-General Report (Unauthorized Quarterly Filers) – Not Paid
3. 2008 30 Day Post-General Report (Unauthorized) – Paid
4. 2008 30 Day Post-General Report (Unauthorized) – Not Paid
5. 2008 30 Day Post-General Report (Authorized) – Paid
6. 2008 30 Day Post-General Report (Authorized) – Not Paid

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.

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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.

Reports Analysis Division (RAD) recommends that the Commission take no further action against ITC Holdings Corp. PAC (AF 1971) and Nortel Political Action Committee (AF 1979). At the RTB stage, RAD's research showed that these committees had activity which would require them to file a 12 Day Pre-General Report, yet they had failed to do so. After the RTB finding, the committees informed RAD of data entry errors and filed amendments to correct the discrepancies. The amendments showed that the committees were not required to file a 12 Day Pre-General Report, and therefore did not violate 2 U.S.C. 434(a). As such, RAD recommends no further action against ITC Holdings Corp. PAC and Nortel Political Action Committee.

For your information, two (2) 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).

- Committee to Elect Mary Wright (AF 2033) disclosed no activity after the RTB finding, which would result in no civil money penalty (previously estimated to be \$3,375).

#### **RAD Recommendation**

- (1) Take no further action against ITC Holdings Corp. PAC (AF 1971) and Anne Jinks, Treasurer, in regards to AF 1971.
- (2) Take no further action against Nortel Political Action Committee and Mary Jo Dorr, Treasurer, in regards to AF 1979.
- (3) 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.
- (4) Send the appropriate letters.

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Federal Election Commission  
 FD Circulation Report Fine Paid  
 2008 PRE-GENERAL Election Sensitive 10/23/2008 UNAUTH\_Q

| AF#  | Committee Name  | Committee ID | Treasurer          | Receipt Date | Days Late | LOA      | PV | RTB Date   | RTB Penalty | Final Money Penalty | Date Paid  | Amount Paid |
|------|---|--------------|--------------------|--------------|-----------|----------|----|------------|-------------|---------------------|------------|-------------|
| 1956 | A DUDA & SONS, INC. POLITICAL ACTION COMMITTEE  | C00213231    | TRACY DUDA CHAPMAN | 12/03/2008   | Not Filed | \$8,250  | 0  | 03/31/2009 | \$600       | \$600               | 04/28/2009 | \$500       |
| 1957 | AMERICAN IRON AND STEEL INSTITUTE POLITICAL ACTION COMMITTEE (STEEL PAC)                | C00295097    | THOMAS GIBSON      | 12/04/2008   | Not Filed | \$4,000  | 0  | 03/31/2009 | \$500       | \$500               | 05/12/2009 | \$500       |
| 1959 | AON CORPORATION POLITICAL ACTION COMMITTEE  | C00211250    | PAUL HAGY          | 10/31/2008   | Not Filed | \$27,258 | 0  | 03/31/2009 | \$1,400     | \$1,400             | 05/12/2009 | \$1,400     |
| 1960 | BAKERY CONFECTIONERY TOBACCO WKR'S & GRAIN MILLERS INT'L UNION LOCAL 19 POL ORG 'BCTGM' | C00249359    | THOMAS EDWARD      | 12/18/2008   | Not Filed | \$2,893  | 0  | 03/31/2009 | \$500       | \$500               | 05/12/2009 | \$500       |
| 1962 | BIKES BELONG COALITION, L.T.D. POLITICAL ACTION COMMITTEE                               | C00372862    | GARY SJOQUIST      | 12/08/2008   | Not Filed | \$3,010  | 0  | 03/31/2009 | \$500       | \$500               | 05/13/2009 | \$500       |
| 1964 | CALUMET PAC   | C00386300    | TERRENCE BRONOWSKI | 12/01/2008   | Not Filed | \$14,000 | 0  | 03/31/2009 | \$900       | \$900               | 05/06/2009 | \$900       |
| 1965 | COOPER INDUSTRIES POLITICAL ACTION COMMITTEE  | C00099937    | TYLER W. JOHNSON   | 10/30/2008   | 7         | \$7,000  | 0  | 03/31/2009 | \$170       | \$170               | 04/27/2009 | \$170       |
| 1966 | DADE COUNTY FIRE FIGHTERS, LOCAL 1403 PAC   | C00130187    | STEVEN JESSUP      | 12/17/2008   | Not Filed | \$8,829  | 0  | 03/31/2009 | \$600       | \$600               | 04/21/2009 | \$600       |
| 1967 | ELECTRIC POWER ASSOCIATIONS OF MISSISSIPPI ACTION COMMITTEE FOR RURAL ELECTRIFICATION   | C00004952    | MICHAEL CALLAHAN   | 12/08/2008   | Not Filed | \$3,000  | 0  | 03/31/2009 | \$500       | \$500               | 04/17/2009 | \$500       |
| 1969 | HEMOCARE & HOSPICE PAC  | C00431981    | RUTH L. CONSTANT   | 11/26/2008   | Not Filed | \$6,063  | 0  | 03/31/2009 | \$600       | \$600               | 05/05/2009 | \$600       |
| 1974 | LOUISIANA REFORM PAC  | C00409631    | JOHN C. SCHMIDT    | 02/27/2009   | Not Filed | \$84,182 | 0  | 03/31/2009 | \$4,000     | \$4,000             | 05/12/2009 | \$4,000     |

| AF#  | Committee Name  | Committee ID | Treasurer               | Receipt Date | Days Late | LOA      | PV | RTB Date   | RTB Penalty | Final Money Penalty | Date Paid  | Amount Paid |
|------|---|--------------|-------------------------|--------------|-----------|----------|----|------------|-------------|---------------------|------------|-------------|
| 1975 | MAYNARD COOPER & GALE PC<br>PAC   | C00272724    | EDWARD A. HOSP          | 12/04/2008   | Not Filed | \$4,038  | 0  | 03/31/2009 | \$500       | \$500               | 04/17/2009 | \$500       |
| 1976 | METAL LATHERS LOCAL 46 PAC  | C00421008    | ROBERT LEDWITH          | 12/10/2008   | Not Filed | \$8,138  | 1  | 03/31/2009 | \$750       | \$750               | 05/06/2009 | \$750       |
| 1977 | NAIOP-PAC   | C00233304    | ELIZABETH R. GREENE     | 12/04/2008   | Not Filed | \$9,179  | 0  | 03/31/2009 | \$600       | \$600               | 05/06/2009 | \$600       |
| 1980 | NORTH CAROLINA FARM<br>BUREAU FEDERATION INC POL<br>ACT CMTE INC (AKA) NC FARM<br>BUREAU FARMPAC  | C00216754    | H. JULIAN PHILPOTT, JR. | 12/04/2008   | Not Filed | \$3,058  | 0  | 03/31/2009 | \$500       | \$500               | 04/20/2009 | \$500       |
| 1981 | PLASTERERS' AND CEMENT<br>MASONS' ACTION COMMITTEE  | C00134742    | EARL F. HURD            | 01/07/2009   | Not Filed | \$3,589  | 0  | 03/31/2009 | \$500       | \$500               | 05/08/2009 | \$500       |
| 1982 | PORTLAND CEMENT<br>ASSOCIATION INC. PCA PAC   | C00237065    | RICHARD C. CREIGHTON    | 01/06/2009   | Not Filed | \$2,240  | 0  | 03/31/2009 | \$500       | \$500               | 04/23/2009 | \$500       |
| 1983 | PUBLIC SERVICE COMPANY OF<br>NEW MEXICO RESPONSIBLE<br>CITIZENS GROUP                             | C00025395    | THOMAS SATEGNA          | 12/08/2008   | Not Filed | \$2,873  | 1  | 03/31/2009 | \$625       | \$625               | 04/29/2009 | \$625       |
| 1984 | REGIONS FINANCIAL<br>CORPORATION POLITICAL<br>ACTION COMMITTEE                                    | C00432252    | VIRGINIA BEAR           | 12/01/2008   | Not Filed | \$13,251 | 0  | 03/31/2009 | \$900       | \$900               | 05/04/2009 | \$900       |
| 1985 | RETAIL, WHOLESALE &<br>DEPARTMENT STORE UNION<br>COMMITTEE ON POLITICAL<br>EDUCATION (RWDSU COPE) | C00174011    | STUART H. APPELBAUM     | 11/05/2008   | Not Filed | \$20,776 | 0  | 03/31/2009 | \$900       | \$900               | 05/08/2009 | \$900       |
| 1986 | RICELAND FOODS, INC. PAC  | C00220053    | BILL J. REED            | 12/05/2008   | Not Filed | \$5,000  | 0  | 03/31/2009 | \$600       | \$600               | 04/29/2009 | \$600       |
| 1987 | RIGHT TRACK PAC   | C00428268    | HAL HYNEMAN             | 10/30/2008   | 7         | \$23,013 | 0  | 03/31/2009 | \$220       | \$220               | 05/11/2009 | \$220       |
| 1988 | SOCIETY FOR VASCULAR<br>SURGERY POLITICAL ACTION<br>COMMITTEE                                     | C00381459    | REBECCA MARON           | 12/04/2008   | Not Filed | \$3,102  | 1  | 03/31/2009 | \$625       | \$625               | 05/11/2009 | \$625       |
| 1989 | SOCIETY OF INDEPENDENT<br>GASOLINE MARKETERS OF<br>AMERICA PAC                                    | C00120030    | ELAINE TALBOTT          | 12/01/2008   | Not Filed | \$6,250  | 0  | 03/31/2009 | \$600       | \$600               | 05/11/2009 | \$600       |

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| AF#  | Committee Name  | Committee ID | Treasurer         | Receipt Date | Days Late | LOA     | PV | RTB Date   | RTB Penalty | Final Money Penalty | Date Paid  | Amount Paid |
|------|---|--------------|-------------------|--------------|-----------|---------|----|------------|-------------|---------------------|------------|-------------|
| 1990 | ST. LOUISANS FOR BETTER GOVERNMENT                                      | C00148155    | SHELDON SANDMEL   | 11/06/2008   | Not Filed | \$3,049 | 1  | 03/31/2009 | \$625       | \$625               | 05/08/2009 | \$625       |
| 1992 | THE ASCAP LEGISLATIVE FUND FOR THE ARTS                                 | C00228296    | SUSAN BOLTERSDORF | 11/04/2008   | Not Filed | \$7,189 | 0  | 03/31/2009 | \$600       | \$600               | 04/21/2009 | \$600       |
| 1993 | UNITED EMP PAC, CENTRAL LOUISIANA ELECTRIC CO. INC.                     | C00165878    | MELISSA LOHMAN    | 11/24/2008   | Not Filed | \$9,137 | 0  | 03/31/2009 | \$600       | \$600               | 04/23/2009 | \$600       |
| 1994 | ZURICH HOLDING COMPANY OF AMERICA COMMITTEE FOR GOOD GOVERNMENT (Z-PAC) | C00235036    | THOMAS A. BRADLEY | 11/04/2008   | Not Filed | \$8,980 | 0  | 03/31/2009 | \$600       | \$600               | 05/11/2009 | \$600       |

Federal Election Commission  
 FD Circulation Report Fine Not Paid  
 2008 PRE-GENERAL Election Sensitive 10/23/2008 UNAUTH\_Q

| AF#  | Committee Name   | Committee ID | Treasurer         | Receipt Date | Days Late | LOA      | PV | RTB Date   | RTB Penalty | Days Since RTB | FD Penalty |
|------|--|--------------|-------------------|--------------|-----------|----------|----|------------|-------------|----------------|------------|
| 1971 | ITC HOLDINGS CORP. PAC   | C00388462    | ANNE JINKS        | 12/03/2008   | Not Filed | \$0      | 0  | 03/31/2009 | \$500       | 59             | NFA        |
| 1972 | KELLY SERVICES INC<br>POLITICAL ACTION<br>COMMITTEE (KELLYPAC) | C00212522    | JAMES D. MCINTIRE | 01/31/2009   | Not Filed | \$31,700 | 0  | 03/31/2009 | \$1,400     | 59             | \$1,400    |
| 1979 | NORTEL POLITICAL ACTION<br>COMMITTEE                           | C00167627    | MARY JO DORR      | 12/03/2008   | Not Filed | \$0      | 0  | 03/31/2009 | \$600       | 59             | NFA        |

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Federal Election Commission  
 FD Circulation Report - Fine Paid  
 2008 POST-GENERAL Not Election Sensitive 12/04/2008 UNAUTH

| AF#  | Committee Name  | Committee ID | Treasurer          | Receipt Date | Days Late | LOA       | PV | RTB Date   | RTB Penalty | Final Money Penalty | Date Paid  | Amount Paid |
|------|---|--------------|--------------------|--------------|-----------|-----------|----|------------|-------------|---------------------|------------|-------------|
| 1995 | AMERICAN POSTAL WORKERS UNION COMMITTEE ON POLITICAL ACTION                     | C00010322    | TERRY R. STAPLETON | 12/11/2008   | 7         | \$467,571 | 0  | 03/31/2009 | \$3,900     | \$3,900             | 04/23/2009 | \$3,900     |
| 1997 | BLOGPAC   | C00406405    | CHRISTOPHER BOWERS | 12/13/2008   | 9         | \$60,625  | 0  | 03/31/2009 | \$975       | \$975               |            | \$975       |
| 1998 | BORDER HEALTH FEDERAL PAC   | C00415752    | ERNIE PEREZ        | 01/29/2009   | Not Filed | \$100,107 | 0  | 03/31/2009 | \$4,500     | \$4,500             | 05/11/2009 | \$4,500     |
| 1999 | BUNCOMBE COUNTY REPUBLICAN PARTY  | C00165803    | DOROTHEA ALDERFER  | 01/09/2009   | Not Filed | \$6,675   | 0  | 03/31/2009 | \$300       | \$300               | 05/06/2009 | \$300       |
| 2000 | CERNER CORPORATION  | C00410589    | MARC NAUGHTON      | 12/26/2008   | 22        | \$10,288  | 0  | 03/31/2009 | \$210       | \$210               | 05/11/2009 | \$210       |
| 2001 | DADE COUNTY FIRE FIGHTERS, LOCAL 1403 PAC                                       | C00130187    | STEVEN JESSUP      | 12/10/2008   | 6         | \$35,074  | 0  | 03/31/2009 | \$320       | \$320               | 04/21/2009 | \$320       |
| 2002 | DELHAIZE AMERICA POLITICAL ACTION COMMITTEE                                     | C00214304    | TEROSS W. YOUNG    | 01/12/2009   | Not Filed | \$17,149  | 2  | 03/31/2009 | \$750       | \$750               | 05/04/2009 | \$750       |
| 2004 | FAMILY-PAC FEDERAL  | C00362178    | D. PAUL CAPRIO     | 12/29/2008   | 25        | \$5,249   | 1  | 03/31/2009 | \$218       | \$218               | 04/17/2009 | \$218       |
| 2006 | INTERNATIONAL BROTHERHOOD OF PAINTERS AND ALLIED TRADES DISTRICT COUNCIL 21 PAC | C00276253    | JOSEPH ASHDALE     | 01/09/2009   | Not Filed | \$213,959 | 0  | 03/31/2009 | \$6,500     | \$6,500             | 05/11/2009 | \$6,500     |
| 2009 | LOUISIANA REFORM PAC  | C00409631    | JOHN C. SCHMIDT    | 02/27/2009   | Not Filed | \$31,696  | 0  | 03/31/2009 | \$900       | \$900               | 05/12/2009 | \$900       |
| 2010 | MARSHALL AND ILSLEY CORPORATION POLITICAL ACTION COMMITTEE                      | C00170696    | DYANA L. PAPPENFUS | 01/06/2009   | Not Filed | \$44,233  | 0  | 03/31/2009 | \$900       | \$900               | 04/17/2009 | \$900       |
| 2011 | METAL LATHERS LOCAL 46 PAC  | C00421008    | ROBERT LEDWITH     | 12/10/2008   | 6         | \$15,037  | 1  | 03/31/2009 | \$162       | \$162               | 05/06/2009 | \$162       |
| 2012 | METROPOLITAN TRANSPORTATION AUTHORITY POLICE BENEVOLENT ASSOCIATION PAC         | C00366922    | RAYMOND GIMMLER    | 01/09/2009   | Not Filed | \$11,485  | 0  | 03/31/2009 | \$500       | \$500               | 05/12/2009 | \$500       |
| 2013 | MONROE COUNTY DEMOCRATIC COMMITTEE  | C00376384    | LEIGH KEGGERREIS   | 02/03/2009   | Not Filed | \$18,918  | 1  | 03/31/2009 | \$625       | \$625               | 05/15/2009 | \$625       |

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| AF#  | Committee Name  | Committee ID | Treasurer                | Receipt Date | Days Late | LOA      | PV | RTB Date   | RTB Penalty | Final Money Penalty | Date Paid  | Amount Paid |
|------|---|--------------|--------------------------|--------------|-----------|----------|----|------------|-------------|---------------------|------------|-------------|
| 2014 | NATIONAL ORGANIZATION FOR WOMEN PAC                             | C00092247    | LATIFA LYLES             | 12/23/2008   | 19        | \$17,000 | 0  | 03/31/2009 | \$195       | \$195               | 04/28/2009 | \$195       |
| 2015 | NEWAYGO COUNTY DEMOCRATIC EXECUTIVE COMMITTEE                   | C00452854    | CHARLES D. BENHAM        | 12/30/2009   | Not Filed | \$10,447 | 0  | 03/31/2009 | \$300       | \$300               | 05/12/2009 | \$300       |
| 2016 | O'NEILL AND ASSOCIATES PAC                                      | C00362210    | BENJAMIN JOSEPHSON       | 01/14/2009   | Not Filed | \$11,422 | 0  | 03/31/2009 | \$500       | \$500               | 05/11/2009 | \$500       |
| 2017 | PHILADELPHIA JOINT BOARD UNITE HERE TIPS                        | C00165324    | MILDRED SALDANA          | 02/23/2009   | Not Filed | \$643    | 0  | 03/31/2009 | \$250       | \$250               | 05/06/2009 | \$250       |
| 2018 | PLASTERERS' AND CEMENT MASONS' ACTION COMMITTEE                 | C00134742    | EARL F. HURD             | 01/07/2009   | Not Filed | \$11,699 | 0  | 03/31/2009 | \$500       | \$500               | 05/08/2009 | \$500       |
| 2019 | PLUMBERS AND PIPEFITTERS LOCAL UNION 74                         | C00192849    | VICTOR SALVATORE         | 01/06/2009   | Not Filed | \$2,379  | 0  | 03/31/2009 | \$250       | \$250               | 04/17/2009 | \$250       |
| 2021 | PORTLAND CEMENT ASSOCIATION INC. PCA PAC                        | C00237065    | RICHARD C. CREIGHTON     | 01/06/2009   | Not Filed | \$2,040  | 0  | 03/31/2009 | \$250       | \$250               | 04/23/2009 | \$250       |
| 2022 | PROGRESSIVE VOTERS OF AMERICA                                   | C00406653    | F. PHILIP FIERMONTE      | 12/11/2008   | 7         | \$50,021 | 0  | 03/31/2009 | \$825       | \$825               | 04/29/2009 | \$825       |
| 2024 | SIERRA PACIFIC EMPLOYEES POLITICAL ACTION COMMITTEE             | C00153379    | JOHN VINSKI              | 12/11/2008   | 7         | \$13,520 | 1  | 03/31/2009 | \$168       | \$168               | 05/05/2009 | \$168       |
| 2025 | SUFFOLK COUNTY DETECTIVES ASSN INC., POLITICAL ACTION COMMITTEE | C00278788    | WILLIAM RATHJEN          | 01/08/2009   | Not Filed | \$12,655 | 2  | 03/31/2009 | \$750       | \$750               | 05/07/2009 | \$750       |
| 2026 | TALLATCHEE CREEK INC. PAC                                       | C00363689    | ELIZABETH EMBER CONATSER | 01/02/2009   | 29        | \$40,900 | 0  | 03/31/2009 | \$780       | \$780               | 05/14/2009 | \$780       |
| 2028 | UNITED HEALTH SERVICES PAC, INC.                                | C00400135    | CHRIS C. DOWNING         | 01/08/2009   | Not Filed | \$19,105 | 0  | 03/31/2009 | \$500       | \$500               | 05/13/2009 | \$500       |
| 2029 | USAFARMWORKERPAC  | C00377549    | STUART J. MITCHELL       | 12/30/2008   | 26        | \$864    | 0  | 03/31/2009 | \$155       | \$155               | 04/23/2009 | \$155       |
| 2030 | WEST VIRGINIA REPUBLICAN PARTY, INC.                            | C00417063    | MARY V. RIGGALL          | 12/15/2008   | 11        | \$27,446 | 0  | 03/31/2009 | \$420       | \$420               | 05/11/2009 | \$420       |
| 2031 | WISCONSIN BANKERS ASSOCIATION (WISBANKPAC)                      | C00048181    | DEBORAH RUFER            | 12/10/2008   | 6         | \$27,016 | 0  | 03/31/2009 | \$320       | \$320               | 05/08/2009 | \$320       |

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Federal Election Commission  
 FD Circulation Report Fine Not Paid  
 2008 POST-GENERAL Not Election Sensitive 12/04/2008 UNAUTH

| AF# | Committee Name | Committee ID | Treasurer | Receipt Date | Days Late | LOA | PV | RTB Date | RTB Penalty | Days Since RTB | FD Penalty |
|-----|----------------|--------------|-----------|--------------|-----------|-----|----|----------|-------------|----------------|------------|
|-----|----------------|--------------|-----------|--------------|-----------|-----|----|----------|-------------|----------------|------------|

|      |  |           |                   |            |           |         |   |            |       |    |       |
|------|--|-----------|-------------------|------------|-----------|---------|---|------------|-------|----|-------|
| 2007 | KELLY SERVICES INC<br>POLITICAL ACTION<br>COMMITTEE (KELLYPAC) | C00212522 | JAMES D. MCINTIRE | 01/31/2009 | Not Filed | \$9,277 | 0 | 03/31/2009 | \$300 | 59 | \$300 |
|------|--|-----------|-------------------|------------|-----------|---------|---|------------|-------|----|-------|

Federal Election Commission  
 FD Circulation Report Fine Paid  
 2008 POST-GENERAL Not Election Sensitive 12/04/2008 AUTH

| 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 |
|------|--|-----------------------|--------------|-----------------------|--------------|-----------|-----------|----|------------|-------------|---------------------|------------|-------------|
| 2034 | COMMITTEE TO RE-ELECT HENRY HANK JOHNSON | JOHNSON JR., HENRY C. | C00418293    | MALCOLM A. CUNNINGHAM | 01/13/2009   | Not Filed | \$52,265  | 0  | 03/31/2009 | \$2,700     | \$2,700             | 05/12/2009 | \$2,700     |
| 2039 | JACK HOOGENDYK FOR US SENATE             | HOOGENDYK JR., JACK   | C00446641    | JACK HOOGENDYK        | 12/12/2008   | 8         | \$177,298 | 0  | 03/31/2009 | \$2,000     | \$2,000             | 05/05/2009 | \$2,000     |
| 2040 | KILPATRICK FOR UNITED STATES CONGRESS    | KILPATRICK, CAROLYN   | C00317842    | CARL STAFFORD         | 12/10/2008   | 6         | \$37,329  | 0  | 03/31/2009 | \$320       | \$320               | 05/11/2009 | \$320       |
| 2041 | REED FOR US SENATE 2008 INC              | REED, CHRISTOPHER     | C00449629    | KIMBERLY REED         | 01/14/2009   | Not Filed | \$26,742  | 0  | 03/31/2009 | \$900       | \$900               | 05/13/2009 | \$900       |
| 2042 | STRATEN FOR CONGRESS INC                 | STRATEN, ROLAND       | C00449231    | RICHARD HOLLAND       | 12/10/2008   | 6         | \$19,399  | 0  | 03/31/2009 | \$130       | \$130               | 04/21/2009 | \$130       |

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Federal Election Commission  
 FD Circulation Report Fine Not Paid  
 2008 POST-GENERAL Not Election Sensitive 12/04/2008 AUTH

| AF#  | Committee Name                 | Candidate Name  | Committee ID | Treasurer          | Receipt Date | Days Late | LOA       | PV | RTB Date   | RTB Penalty | Days Since RTB | FD Penalty |
|------|--------------------------------|-----------------|--------------|--------------------|--------------|-----------|-----------|----|------------|-------------|----------------|------------|
| 2033 | COMMITTEE TO ELECT MARY WRIGHT | WRIGHT, MARY D. | C00449876    | MARY DELOIS WRIGHT |              | Not Filed | \$0 (est) | 1  | 03/31/2009 | \$3,375     | 59             | \$0        |

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Administrative Fines Final Determination )  
Recommendation for the 30 Day Post- )  
General Report (Authorized Filers): )

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COMMITTEE TO ELECT MARY ) AF# 2033  
WRIGHT, and MARY DELOIS WRIGHT )  
as treasurer; )  
COMMITTEE TO RE-ELECT HENRY ) AF# 2034  
HANK JOHNSON, and MALCOLM A. )  
CUNNINGHAM as treasurer; )

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JACK HOOGENDYK FOR US SENATE, ) AF# 2039  
and JACK HOOGENDYK as treasurer; )  
KILPATRICK FOR UNITED STATES ) AF# 2040  
CONGRESS, and CARL STAFFORD MR. )  
as treasurer; )  
REED FOR US SENATE 2008 INC, and ) AF# 2041  
KIMBERLY REED as treasurer; )  
STRATEN FOR CONGRESS INC, and ) AF# 2042  
RICHARD HOLLAND as treasurer; )-

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on June 01, 2009 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the 30 Day Post-General Report (Authorized Filers): as recommended in the Reports Analysis Division's Memorandum dated May 29, 2009, on the following committees:

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AF#2033 Decided by a vote of 6-0 to: (1) make a final determination that COMMITTEE TO ELECT MARY WRIGHT, and MARY DELOIS WRIGHT 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#2034 Dccided by a vote of 6-0 to: (1) make a final determination that COMMITTEE TO RE-ELECT HENRY HANK JOHNSON, and MALCOLM A. CUNNINGHAM 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#2039 Decided by a vote of 6-0 to: (1) make a final determination that JACK HOOGENDYK FOR US SENATE, and JACK HOOGENDYK 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#2040 Decided by a vote of 6-0 to: (1) make a final determination that KILPATRICK FOR UNITED STATES CONGRESS, and CARL STAFFORD MR. as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Huuter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2041 Decided by a vote of 6-0 to: (1) make a final determination that REED FOR US SENATE 2008 INC, and KIMBERLY REED 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#2042 Decided by a vote of 6-0 to: (1) make a final determination that STRATEN FOR CONGRESS INC, and RICHARD HOLLAND 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:

June 1, 2009  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 9, 2009

Mr. Carl Stafford as Treasurer  
Kilpatrick for United States Congress  
P.O. Box 32175  
Detroit, MI 48232

C00317842  
AF#: 2040

Dear Mr. Stafford:

On March 31, 2009, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Kilpatrick for United States Congress and you as treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2008 Post-General Report. By letter dated April 6, 2009, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$320 in accordance with the schedule of penalties at 11 C.F.R. § 111.43.

On May 11, 2009, the FEC received payment of your civil money penalty calculated at the RTB stage. The FEC made a final determination on June 1, 2009 that you as treasurer and Kilpatrick for United States Congress violated 2 U.S.C. § 434(a), assessed a civil money penalty in the amount of \$320 in accordance with 11 C.F.R. § 111.43, and voted to close the file.

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

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in cursive script that reads "Steven T. Walther".

Steven T. Walther  
Chairman

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FOR: Kilpatrick for United States Congress

FEC ID#: C00317842

AF#: 2040

PAYMENT DUE DATE: May 10, 2009

PAYMENT AMOUNT DUE: \$320

5-6

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QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 001 \$ 0000032000 BA# 1 05-08-09 20 4



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|   |                                    |   |                            |
|---|------------------------------------|---|----------------------------|
| <b>Kilpatrick For United States Congress</b><br>PO Box 32175<br>Detroit, Michigan 48232<br>(313) 895-0820 |                                    | <b>COMERICA BANK</b><br>Detroit, Michigan<br>www.comerica.com<br>531720 | <b>3095</b><br>MAY 5, 2009 |
| PAY TO THE ORDER OF   | <b>FEDERAL ELECTION COMMISSION</b> |   | <b>\$ 320.00</b>           |
| <b>THREE HUNDRED TWENTY DOLLARS &amp; 00/100</b>  |                                    |   | DOLLARS                    |
| MEMO LATE REPORT FEE POST GENERAL 2008<br>FEC ID# C00317842   |                                    |   | <i>Andrea Bragg</i>        |



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2040

DATE SCANNED 7-20-09

SCANNER NO. 2

SCAN OPERATOR JmD

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