



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2732

DATE SCANNED

1/10/14

SCANNER NO.

2

SCAN OPERATOR

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2013 APR -2 AM 8:56

April 1, 2013

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: *[Signature]* Alec Palmer *[Signature]*  
Staff Director

FROM: Patricia C. Orrock *[Signature]*  
Chief Compliance Officer

Debbie Chacona *DC/nue*  
Assistant Staff Director  
Reports Analysis Division

BY: *[Signature]* Jodi Winship/Sari Pickerall *[Signature]*  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2012 Year-End Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2012 Year-End Report in accordance with 2 U.S.C. 434(a). The Year-End Report was due on January 31, 2012.

The committees listed in the attached RTB Circulation Report either failed to file the report, no more than thirty (30) days after 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 the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

For your information, letters of resignation were filed by the treasurers for Friends of Julian Schreibman (AF 2706) and Kenneth Sanders for Congress Committee (AF 2718). The RTB finding will be against the "Office of Treasurer" as the committees have not yet filed Amended Statements of Organization to appoint new treasurers.

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## **Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission  
Reason to Believe Circulation Report  
2012 YEAR-END Not Election Sensitive 01/31/2013 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2689	C00424788	AMBULATORY SURGERY CENTER ASSOCIATION PAC (ASCAPAC)		BRENDAN DAVIS	\$389,962	0	2/12/2013	12	\$5,159	\$115
2690	C00436360	AMEDISYS INC POLITICAL ACTION COMMITTEE		DALE E. REDMAN	\$329,779	0	2/7/2013	7	\$29,511	\$340
2691	C00102764	AMERICAN CHIROPRACTIC ASSOCIATION PAC		DR. MICHAEL SIMONE	\$628,252	0	2/21/2013	21	\$13,193	\$215
2692	C00511980	ANDREI FOR ARIZONA	CHERNY, ANDREI	SETH SCOTT	\$2,247,802	0		Not Filed	\$551,951 (est)	\$11,000
2693	C00499491	ANDREW HUGHES FOR CONGRESS	HUGHES, ANDREW IFITS	JEFF UPTHEGROVE	\$505,503	1	2/19/2013	19	\$13,888	\$256
2694	C00507442	BARBARA CARLSON FOR US CONGRESS COMMITTEE	CARLSON, BARBARA J	SHERI EDWARDS	\$239,627	0		Not Filed	\$47,925 (est)	\$990
2695	C00504068	BARNES FOR CONGRESS	BARNES, BRIAN PATRICK	LISA MILLER	\$798,374	0	3/11/2013	Not Filed	\$11,256	\$550
2696	C00503177	BETTE GRANDE FOR CONGRESS	GRANDE, BETTE B	ALEC H. GRANDE	\$120,672	0		Not Filed	\$10,090	\$550
2697	C00501411	BRAD BOOKOUT FOR CONGRESS	BOOKOUT, BRADLEY T	LISA BOOKOUT	\$146,766	0		Not Filed	\$20,967 (est)	\$550
2698	C00371211	BRAD MILLER FOR UNITED STATES CONGRESS	MILLER, RALPH BRAD MR	JOHN WALLACE	\$581,475	0		Not Filed	\$83,068 (est)	\$3,850
2699	C00513788	BRAD MORRIS FOR CONGRESS	MORRIS, BRAD	ROBERT T. "BOB" GRAY	\$410,768	0		Not Filed	\$68,461 (est)	\$2,970

2701	C00523431	CASSIS FOR CONGRESS	CASSIS, NANCY	SEAN SANT	\$801,282	0		Not Filed	\$200,321 (est)	\$7,150
2702	C00523167	COMMITTEE TO ELECT RICK MURPHY FOR CONGRESS	MURPHY, RICK	RICK MURPHY	\$171,886	0		Not Filed	\$57,295 (est)	\$2,970
2703	C00510495	DAVID SCHAPIRA FOR CONGRESS	SCHAPIRA, DAVID	LAUREN KUBY	\$562,177	0		Not Filed	\$140,544 (est)	\$4,950
2704	C00468009	EDWARDS WILDMAN PAC INC		KEITH KOTLER	\$426,175	0	2/22/2013	22	\$13,092	\$220
2705	C00500058	FRIENDS OF DAVID FOR CONGRESS	THAYNE, DAVID CRUZ	DAVID CRUZ THAYNE	\$171,317	0		Not Filed	\$28,553 (est)	\$990
2706	C00513739	FRIENDS OF JULIAN SCHREIBMAN	SCHREIBMAN, JULIAN D	OFFICE OF TREASURER	\$2,685,467	0		Not Filed	\$447,578 (est)	\$9,900
2707	C00473710	FRIENDS OF LIBERTY FOR JESSICA	PUENTE BRADSHAW, JESSICA	GARY E. DOAN	\$181,853	0	3/12/2013	Not Filed	\$1,415	\$250

2709	C00350421	FRIENDS OF TIM JOHNSON	JOHNSON, TIMOTHY V	MARK SHELLEN	\$1,278,389	0	2/12/2013	12	\$12,564	\$170
2710	C00505685	GARY SMITH FOR CONGRESS	SMITH, GARY	GARY SMITH	\$505,283	1		Not Filed	\$168,428 (est)	\$7,562
2711	C00495259	IMMIGRATION911, LLC		STANLEY P. DULL	\$520,898	1	2/13/2013	13	\$15,308	\$218
2712	C00498311	IMUS FOR CONGRESS	IMUS, GREGG	CHAD HANEY	\$228,972	0		Not Filed	\$28,622 (est)	\$990

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2713	C00495549	JACKSON FOR VIRGINIA	JACKSON, EARL W SR	THEODORA J. JACKSON	\$277,821	1	3/5/2013	Not Filed	\$1,136	\$312
2714	C00305920	JESSE JACKSON JR FOR CONGRESS	JACKSON, JESSE JR	VICKIE PASLEY	\$2,066,749	0		Not Filed	\$206,675 (est)	\$7,150
2715	C00478818	JIM HORN ELECTION COMMITTEE	HORN, JIM	OLIVIA JULIA HORN	\$182,905	3		Not Filed	\$36,581 (est)	\$1,732
2716	C00497644	JIMMIE MOORE FOR CONGRESS	MOORE, JIMMIE SEE	GAIL A. CHINN-PRATT	\$342,740	1		Not Filed	\$57,123 (est)	\$3,712

2718	C00514489	KENNETH SANDERS FOR CONGRESS COMMITTEE	SANDERS, KENNETH	OFFICE OF TREASURER	\$280,570	1		Not Filed	\$40,081 (est)	\$1,237
2719	C00512368	KRISTIN JACOBS FOR CONGRESS	JACOBS, KRISTIN	JACOB C. RICHTER	\$978,873	0	2/19/2013	19	\$901	\$120
2720	C00505529	LAMAR STERNAD FOR CONGRESS	STERNAD, JUSTIN LAMAR	JUSTIN LAMAR STERNAD	\$128,591	1		Not Filed	\$32,148 (est)	\$1,237
2721	C00517110	LEAH FOR CONGRESS	SCHANDLBAUER, LEAH CAMPOS	JACOB BROWN	\$143,979	1		Not Filed	\$35,995 (est)	\$1,237
2722	C00384529	LISA MURKOWSKI FOR US SENATE	MURKOWSKI, LISA	JOSEPH M. SCHIERHORN	\$1,343,737	0	2/15/2013	15	\$139,109	\$2,535
2723	C00517078	LONG, WILLIAM TODD	LONG, WILLIAM TODD	TODD LONG	\$295,925	0		Not Filed	\$49,321 (est)	\$990
2724	C00497099	MARAGOS4NY	MARAGOS, GEORGE	KHALEDA MALIQUE	\$4,039,502	0		Not Filed	\$577,072 (est)	\$11,000
2725	C00432948	MCGOFF FOR CONGRESS	MCGOFF, JOHN P	MARJORIE O'LAUGHLIN	\$808,351	0		Not Filed	\$101,044 (est)	\$4,950
2726	C00510982	MELENDEZ FOR CONGRESS	MELENDEZ, JULIUS	BERNIE MAPILI	\$197,616	0		Not Filed	\$49,404 (est)	\$990
2727	C00457960	MICHAEL WILLIAMS FOR CONGRESS	WILLIAMS, MICHAEL L	R. STEVEN HICKS	\$1,615,965	0		Not Filed	\$201,996 (est)	\$7,150
2728	C00494187	MODICA FOR SENATE	MODICA, JULIEN	JULIEN MODICA	\$673,796	3		Not Filed	\$224,599 (est)	\$12,512
2729	C00413567	NATIONAL ASSOCIATION OF FARM SERVICE AGENCY COUNTY OFFICE EMPLOYEES INC PPC AKA NASCOE PAC		ROBERT L. REDDING, JR.	\$200,302	1	2/11/2013	11	\$7,906	\$137
2730	C00506568	PELOQUIN FOR CONGRESS	PELOQUIN, DONALD	KYLE KACZANOWSKI	\$201,448	0		Not Filed	\$28,778 (est)	\$990
2731	C00523993	REDFIELD FOR CONGRESS	REDFIELD, HOLLAND II	JAMES OLIVER	\$107,866	0		Not Filed	\$17,978 (est)	\$550
2732	C00514745	RICE FOR CONGRESS	RICE, RONALD C	JAMES BLANEY	\$114,642	0		Not Filed	\$38,214 (est)	\$990
2733	C00507202	ROBERTS FOR CONGRESS	ROBERTS, MARVIN KIRBY	JUSTIN ROBERTS	\$183,304	0		Not Filed	\$36,661 (est)	\$990
2734	C00504498	ROSE MEZA HARRISON FOR CONGRESS	HARRISON, ROSE MEZA	GEORGE CLOWER	\$719,855	0	3/14/2013	Not Filed	\$2,411	\$250
2735	C00494690	STEVE COLLETT FOR CONGRESS	COLLETT, STEPHEN (STEVE)	STEVE COLLETT	\$402,067	0		Not Filed	\$50,258 (est)	\$2,970
2736	C00343475	TODD AKIN FOR SENATE	AKIN, W TODD	G. SCOTT ENGELBRECHT	\$11,842,136	0	2/7/2013	7	\$121,140	\$1,535
2737	C00528182	VIRGIN ISLANDS FOR PLASKETT	PLASKETT, STACEY	MARVIN L. PICKERING	\$134,305	0		Not Filed	\$44,768 (est)	\$990
2738	C00511287	WILSON 2012	WILSON, THOMAS	MARY F. GRAETZER	\$338,221	3	2/8/2013	8	\$809	\$113
2739	C00514414	ZEIN OBAGI FOR CONGRESS	OBAGI, ZEIN ELABDINE JR	ZEIN E. OBAGI, JR.	\$126,725	0		Not Filed	\$31,681 (est)	\$990

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation – )  
2012 Year-End Report for the )  
Administrative Fine Program: )  
AMBULATORY SURGERY CENTER	)	AF# 2689  
ASSOCIATION PAC (ASCAPAC), and )  
DAVIS, BRENDAN as treasurer; )  
AMEDISYS INC POLITICAL ACTION	)	AF# 2690  
COMMITTEE, and DALE E REDMAN as )  
treasurer; )  
AMERICAN CHIROPRACTIC	)	AF# 2691  
ASSOCIATION PAC, and SIMONE, )  
MICHAEL DR as treasurer; )  
ANDREI FOR ARIZONA, and SETH	)	AF# 2692  
SCOTT as treasurer; )  
ANDREW HUGHES FOR CONGRESS,	)	AF# 2693  
and JEFF UPTHEGROVE as treasurer; )  
BARBARA CARLSON FOR US	)	AF# 2694  
CONGRESS COMMITTEE, and SHERI )  
EDWARDS as treasurer; )  
BARNES FOR CONGRESS, and MILLER,	)	AF# 2695  
LISA as treasurer; )  
BETTE GRANDE FOR CONGRESS, and	)	AF# 2696  
ALEC H GRANDE as treasurer; )  
BRAD BOOKOUT FOR CONGRESS, and	)	AF# 2697  
LISA BOOKOUT as treasurer; )  
BRAD MILLER FOR UNITED STATES	)	AF# 2698  
CONGRESS, and WALLACE, JOHN MR. )  
as treasurer; )  
BRAD MORRIS FOR CONGRESS, and	)	AF# 2699  
ROBERT T "BOB" GRAY as treasurer; )  
  
CASSIS FOR CONGRESS, and SEAN ) AF# 2701  
SANT as treasurer; )

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COMMITTEE TO ELECT RICK ) AF# 2702  
MURPHY FOR CONGRESS, and RICK )  
MURPHY as treasurer; )  
DAVID SCHAPIRA FOR CONGRESS, ) AF# 2703  
and LAUREN KUBY as treasurer; )  
EDWARDS WILDMAN PAC INC, and ) AF# 2704  
KOTLER, KEITH as treasurer; )  
FRIENDS OF DAVID FOR CONGRESS, ) AF# 2705  
and DAVID CRUZ THAYNE as treasurer; )  
FRIENDS OF LIBERTY FOR JESSICA, ) AF# 2707  
and DOAN, GARY E MR. as treasurer; )

FRIENDS OF TIM JOHNSON, and ) AF# 2709  
SHELDEN, MARK as treasurer; )  
GARY SMITH FOR CONGRESS, and ) AF# 2710  
GARY SMITH as treasurer; )  
IMMIGRATION911, LLC, and STANLEY ) AF# 2711  
P DULL as treasurer; )  
IMUS FOR CONGRESS, and CHAD ) AF# 2712  
HANELY as treasurer; )  
JACKSON FOR VIRGINIA, and ) AF# 2713  
THEODORA J JACKSON as treasurer; )  
JESSE JACKSON JR FOR CONGRESS, ) AF# 2714  
and PASLEY, VICKIE as treasurer; )  
JIM HORN ELECTION COMMITTEE, ) AF# 2715  
and OLIVIA JULIA HORN as treasurer; )  
JIMMIE MOORE FOR CONGRESS, and ) AF# 2716  
CHINN-PRATT, GAIL A. as treasurer; )

KRISTIN JACOBS FOR CONGRESS, and ) AF# 2719  
JACOB C RICHTER as treasurer; )  
LAMAR STERNAD FOR CONGRESS, ) AF# 2720  
and JUSTIN LAMAR STERNAD as )  
treasurer; )  
LEAH FOR CONGRESS, and JACOB ) AF# 2721  
BROWN as treasurer; )  
LISA MURKOWSKI FOR US SENATE, ) AF# 2722  
and JOSEPH M SCHIERHORN as )  
treasurer; )  
LONG, WILLIAM TODD, and LONG, ) AF# 2723  
TODD MR. as treasurer; )

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MARAGOS4NY, and KHALEDA	)	AF# 2724
MALIQUE as treasurer;	)	
MCGOFF FOR CONGRESS, and	)	AF# 2725
O'LAUGHLIN, MARJORIE as treasurer;	)	
	)	
	)	
MELLENDEZ FOR CONGRESS, and	)	AF# 2726
MAPILL, BERNIE as treasurer;	)	
MICHAEL WILLIAMS FOR CONGRESS,	)	AF# 2727
and HICKS, R. STEVEN as treasurer;	)	
MODICA FOR SENATE, and JULIEN	)	AF# 2728
MODICA as treasurer;	)	
NATIONAL ASSOCIATION OF FARM	)	AF# 2729
SERVICE AGENCY COUNTY OFFICE	)	
EMPLOYEES INC PPC AKA NASCOE	)	
PAC, and ROBERT L REDDING JR as	)	
treasurer;	)	
PELOQUIN FOR CONGRESS, and	)	AF# 2730
KACZANOWSKI, KYLE as treasurer;	)	
REDFIELD FOR CONGRESS, and	)	AF# 2731
OLIVER, JAMES as treasurer;	)	
RICE FOR CONGRESS, and JAMES	)	AF# 2732
BLANEY as treasurer;	)	
ROBERTS FOR CONGRESS, and	)	AF# 2733
ROBERTS, JUSTIN as treasurer;	)	
ROSE MEZA HARRISON FOR	)	AF# 2734
CONGRESS, and GEORGE CLOWER as	)	
treasurer;	)	
STEVE COLLETT FOR CONGRESS, and	)	AF# 2735
COLLETTT, STEVE FED as treasurer;	)	
TODD AKIN FOR SENATE, and	)	AF# 2736
ENGELBRECHT, G. SCOTT as treasurer;	)	
VIRGIN ISLANDS FOR PLASKETT, and	)	AF# 2737
MARVIN L PICKERING as treasurer;	)	
WILSON 2012, and MARY F GRAETZER	)	AF# 2738
as treasurer;	)	
ZEIN OBAGI FOR CONGRESS, and ZEIN	)	AF# 2739
E OBAGI JR as treasurer;	)	

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 03, 2013 the Commission took the following actions on the Reason To Believe Recommendation – 2012 Year-End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated April 01, 2013, on the following committees:

AF#2689 Decided by a vote of 5-0 to: (1) find reason to believe that AMBULATORY SURGERY CENTER ASSOCIATION PAC (ASCAPAC), and DAVIS, BRENDAN 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2690 Decided by a vote of 5-0 to: (1) find reason to believe that AMEDISYS INC POLITICAL ACTION COMMITTEE, and DALE E REDMAN 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2691 Decided by a vote of 5-0 to: (1) find reason to believe that AMERICAN CHIROPRACTIC ASSOCIATION PAC, and SIMONE, MICHAEL 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2692 Decided by a vote of 5-0 to: (1) find reason to believe that ANDREI FOR ARIZONA, and SETH SCOTT 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2693 Decided by a vote of 5-0 to: (1) find reason to believe that ANDREW HUGHES FOR CONGRESS, and JEFF UPTHEGROVE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the

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amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2694 Decided by a vote of 5-0 to: (1) find reason to believe that BARBARA CARLSON FOR US CONGRESS COMMITTEE, and SHERI EDWARDS 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2695 Decided by a vote of 5-0 to: (1) find reason to believe that BARNES FOR CONGRESS, and MILLER, LISA 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2696 Decided by a vote of 5-0 to: (1) find reason to believe that BETTE GRANDE FOR CONGRESS, and ALEC H GRANDE 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2697 Decided by a vote of 5-0 to: (1) find reason to believe that BRAID BOOKOUT FOR CONGRESS, and LISA BOOKOUT 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2698 Decided by a vote of 5-0 to: (1) find reason to believe that BRAD MILLER FOR UNITED STATES CONGRESS, and WALLACE, JOHN 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2699 Decided by a vote of 5-0 to: (1) find reason to believe that BRAD MORRIS FOR CONGRESS, and ROBERT T "BOB" GRAY 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2701 Decided by a vote of 5-0 to: (1) find reason to believe that CASSIS FOR CONGRESS, and SEAN SANT 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2702 Decided by a vote of 5-0 to: (1) find reason to believe that COMMITTEE TO ELECT RICK MURPHY FOR CONGRESS, and RICK MURPHY 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2703 Decided by a vote of 5-0 to: (1) find reason to believe that DAVID SCHAPIRA FOR CONGRESS, and LAUREN KUBY 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2704 Decided by a vote of 5-0 to: (1) find reason to believe that EDWARDS WILDMAN PAC INC, and KOTLER, KEITH 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2705 Decided by a vote of 5-0 to: (1) find reason to believe that FRIENDS OF DAVID FOR CONGRESS, and DAVID CRUZ THAYNE 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2707 Decided by a vote of 5-0 to: (1) find reason to believe that FRIENDS OF LIBERTY FOR JESSICA, and DOAN, GARY E 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2709 Decided by a vote of 5-0 to: (1) find reason to believe that FRIENDS OF TIM JOHNSON, and SHELDEN, MARK 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2710 Decided by a vote of 5-0 to: (1) find reason to believe that GARY SMITH FOR CONGRESS, and GARY SMITH 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2711 Decided by a vote of 5-0 to: (1) find reason to believe that IMMIGRATION911, LLC, and STANLEY P DULL 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2712 Decided by a vote of 5-0 to: (1) find reason to believe that IMUS FOR CONGRESS, and CHAD HANELY 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2713 Decided by a vote of 5-0 to: (1) find reason to believe that JACKSON FOR VIRGINIA, and THEODORA J JACKSON 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2714 Decided by a vote of 5-0 to: (1) find reason to believe that JESSE JACKSON JR FOR CONGRESS, and PASLEY, VICKIE 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2715 Decided by a vote of 5-0 to: (1) find reason to believe that JIM HORN ELECTION COMMITTEE, and OLIVIA JULIA HORN 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2716 Decided by a vote of 5-0 to: (1) find reason to believe that JIMMIE MOORE FOR CONGRESS, and CHINN-PRATT, GAIL 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2719 Decided by a vote of 5-0 to: (1) find reason to believe that KRISTIN JACOBS FOR CONGRESS, and JACOB C RICHTER 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2720 Decided by a vote of 5-0 to: (1) find reason to believe that LAMAR STERNAD FOR CONGRESS, and JUSTIN LAMAR STERNAD 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2721 Decided by a vote of 5-0 to: (1) find reason to believe that LEAH FOR CONGRESS, and JACOB BROWN 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2722 Decided by a vote of 5-0 to: (1) find reason to believe that LISA MURKOWSKI FOR US SENATE, and JOSEPH M SCHIERHORN 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2723 Decided by a vote of 5-0 to: (1) find reason to believe that LONG, WILLIAM TODD, and LONG, TODD 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2724 Decided by a vote of 5-0 to: (1) find reason to believe that MARAGOS4NY, and KHALEDA MALIQUE 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2725 Decided by a vote of 5-0 to: (1) find reason to believe that MCGOFF FOR CONGRESS, and O'LAUGHLIN, MARJORIE 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2726 Decided by a vote of 5-0 to: (1) find reason to believe that MELENDEZ FOR CONGRESS, and MAPILI, BERNIE 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2727 Decided by a vote of 5-0 to: (1) find reason to believe that MICHAEL WILLIAMS FOR CONGRESS, and HICKS, R. 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2728 Decided by a vote of 5-0 to: (1) find reason to believe that MODICA FOR SENATE, and JULIEN MODICA 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2729 Decided by a vote of 5-0 to: (1) find reason to believe that NATIONAL ASSOCIATION OF FARM SERVICE AGENCY COUNTY OFFICE EMPLOYEES INC PPC AKA NASCOE PAC, and ROBERT L REDDING 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2730 Decided by a vote of 5-0 to: (1) find reason to believe that PELOQUIN FOR CONGRESS, and KACZANOWSKI, KYLE 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2731 Decided by a vote of 5-0 to: (1) find reason to believe that REDFIELD FOR CONGRESS, and OLIVER, JAMES 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2732 Decided by a vote of 5-0 to: (1) find reason to believe that RICE FOR CONGRESS, and JAMES BLANEY 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2733 Decided by a vote of 5-0 to: (1) find reason to believe that ROBERTS FOR CONGRESS, and ROBERTS, JUSTIN 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2734 Decided by a vote of 5-0 to: (1) find reason to believe that ROSE MEZA HARRISON FOR CONGRESS, and GEORGE CLOWER 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2735 Decided by a vote of 5-0 to: (1) find reason to believe that STEVE COLLETT FOR CONGRESS, and COLLETT, STEVE FED 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2736 Decided by a vote of 5-0 to: (1) find reason to believe that TODD AKIN FOR SENATE, and ENGELBRECHT, G. SCOTT 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2737 Decided by a vote of 5-0 to: (1) find reason to believe that VIRGIN ISLANDS FOR PLASKETT, and MARVIN L PICKERING 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2738 Decided by a vote of 5-0 to: (1) find reason to believe that WILSON 2012, and MARY F GRAETZER 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2739 Decided by a vote of 5-0 to: (1) find reason to believe that ZEIN OBAGI FOR CONGRESS, and ZEIN E OBAGI 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 Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 3, 2013  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 4, 2013

James Blaney, in official capacity as Treasurer  
Rice for Congress  
173 Dickerson Street  
Newark, NJ 07107

C00514745  
AF#: 2732

Dear Mr. Blaney:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year End Report of Receipts and Disbursements every calendar year. This report, covering the period through December 31, 2012, was due no later than January 31, 2013. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits 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 April 3, 2013, the FEC found that there is reason to believe ("RTB") that Rice for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before January 31, 2013. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$990. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. 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 CFR § 111.34. Your payment of \$990 is due within forty (40) days of the finding, or by May 13, 2013, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$38,214  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or 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 at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

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NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or May 13, 2013. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and 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 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) 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 CFR § 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: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

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 U.S. district court under 2 U.S.C. § 437g. 11 CFR § 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.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

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

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

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**3. If You Choose to Pay the 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.

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 CFR § 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 Sari Pickerali 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,



Ellen L. Weintraub  
Chair

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$990 for the 2012 Year-End 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 13, 2013. 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: Rice for Congress

FEC ID#: C00514745

AF#: 2732

PAYMENT DUE DATE: May 13, 2013

PAYMENT AMOUNT DUE: \$990

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**FEDERAL ELECTION COMMISSION  
OFFICE OF  
ADMINISTRATIVE REVIEW**

Ms. Ellen L. Weintraub  
Chair  
Federal Election Commission  
Washington D.C. 20463

2013 MAY 14 PM 12:03

May 11, 2013

Dear Ms. Weintraub,

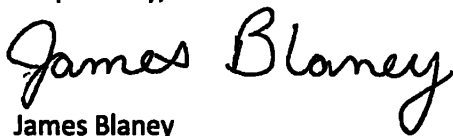
I am writing this letter as my official response to a letter I received in my official capacity as Treasurer of the Rice for Congress Committee. Your letter was dated April 4, 2013 and you asked that I supply the AF number in my response: AF# 2732. I am officially challenging your finding and I am humbly requesting that you reconsider imposing any money penalties.

Let me state for the record, at no time did I in my capacity as Treasurer have any intention of violating the rules or laws governing committee filing requirements. Additionally, please understand in my capacity as Treasurer of the Rice for Congress Committee, I at no time had any desire to disregard the requirements of report filings with the Federal Election Commission.

For the record, although I am Treasurer I am not the person who has actually done the accounting work on the committee filings. I have been trying since receiving your notification to make sure all reports that are due are filed. After reviewing the information supplied in your letter, it appears that the Committee and I may not qualify for reconsideration of your decision. My hope is however, there is room for some discretion by the Federal Election Commission and that the Commission would reconsider the decision to impose monetary penalties.

Reasons for not filing are due primarily because of inexperience with the rules and procedures governing filing requirements. It is my hope that if there is any possibility of forgiveness, the Federal Election Commission will reconsider imposing this fine. If you have any questions or if you need any additional information from me please call me at

Respectfully,

  
James Blaney

14092693966



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Via First Class Mail

May 14, 2013

James Blaney, in official capacity as Treasurer  
Rice for Congress  
173 Dickerson Street  
Newark, NJ 07107

C00514745

AF#: 2732

Dear Mr. Blaney:

On May 14, 2013, the Commission received the written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding the 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 "Rhiannon Magruder".

Rhiannon Magruder  
Acting Reviewing Officer  
Office of Administrative Review

14092693967

**Date: May 16, 2013**

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

**AF#: 2732**

**Committee Name: Rice for Congress**

**Committee ID#: C00514745**

**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 April 1, 2013 and RTB Certification, dated April 3, 2013 (Y/N): Previously Forwarded**
- **Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y**
- 
- **Other Relevant Telecoms (Y/N): N**
- **Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N**
- **RAD Staff Declaration (Y/N): Y**
  - 2012 Year End Report Notice, dated December 27, 2012.**
  - Non-Filer Letter, dated February 15, 2013.**
  - RTB Letter, dated April 4, 2013.**
- **Other RAD Information: (Y/N): N**

14092693968



## Delivery Notification

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

**Tracking Number:** 1Z WF5 860 A2 9074 156 8  
**Reference Number(s):** RAD, 2732  
**Service:** NEXT DAY AIR  
**Special Instructions:** ADULT SIGNATURE REQUIRED  
**Shipped/Billed On:** 04/03/2013  
**Delivered On:** 04/09/2013 10:23 A.M.  
**Delivered To:** 173 DICKERSON ST  
NEWARK, NJ; US 07107  
**Signed By:** BLANEY  
**Location:** RESIDENTIAL

Thank you for giving us this opportunity to serve you.

Sincerely,  
UPS

Tracking results provided by UPS: 04/09/2013 3:33 P.M. ET

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## DECLARATION OF JODI WINSHIP

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 Rice for Congress:
  - A) Report Notice, dated December 27, 2012, referencing the 2012 Year End Report  
(sent via electronic mail to: winthetenthnj@gmail.com);
  - B) Non-Filer Letter, dated February 15, 2013, referencing the 2012 Year End Report  
(sent via electronic mail to: winthetenthnj@gmail.com);
  - C) Reason-to-Believe Letter, dated April 4, 2013 referencing the 2012 Year End Report.
3. I hereby certify that I have searched the Commission's public records and find that Rice for Congress has not yet filed the 2012 Year End Report with the Commission.
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 telecoras for the matter have been provided. This declaration was executed at Washington, D.C. on the 16<sup>th</sup> day of May, 2013.



Jodi Winship  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-7

February 15, 2013

JAMES BLANEY, TREASURER  
RICE FOR CONGRESS  
173 DICKERSON STREET  
NEWARK, NJ 07107

IDENTIFICATION NUMBER: C00514745

REFERENCE: YEAR-END REPORT (10/01/2012 - 12/31/2012)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended.

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 (if sent via overnight delivery service) or Senate Office of Public Records, P.O. Box 77578, Washington, DC 20013-7578 (if sent via USPS) for Senate Candidates. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at [www.fec.gov](http://www.fec.gov).

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

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# YEAR-END REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

December 27, 2012

## CURRENT REPORT DUE:

### I. 2012 GENERAL ELECTION CANDIDATES

REPORT	CLOSE OF BOOKS <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	12/31/12	01/31/13	01/31/13

### II. UNSUCCESSFUL 2012 PRIMARY ELECTION CAMPAIGN COMMITTEES AND CANDIDATES NOT ACTIVE IN 2012 ELECTIONS

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	10/01/12 - 12/31/12	01/31/13	01/31/13

#### NOTE FOR COMMITTEES NOT REQUIRED TO FILE A POST-GENERAL ELECTION REPORT CHART II (see above)

For candidates who ran in 2012 but did not participate in the general election, the reporting period for the Year-End Report spans two election cycles. For this report only, committees should instead use the Post-Election Detailed Summary Page (FEC Form 3, Pages 5-8). Committees should not use the normal Detailed Summary Page.

[Click here for Supplemental Filing Information](#)

[See Page 2 for 2013 Reporting Schedule](#)

<sup>1</sup>These dates indicate the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

**LOOKING AHEAD TO 2013**

REPORT	CLOSE OF BOOKS <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
April Quarterly	03/31/13	04/15/13	04/15/13
July Quarterly	06/30/13	07/15/13	07/15/13
October Quarterly	09/30/13	10/15/13	10/15/13
Year-End	12/31/13	01/31/14	01/31/14

**[Click here for Supplemental Filing Information](#)**

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<sup>1</sup>These dates indicate the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

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## 2012 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

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

### WHO MUST FILE

Principal campaign committees of congressional candidates <sup>1</sup> (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2012. <sup>2</sup>

Campaigns that raise or spend more than \$5,000 for the 2012 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2012, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

### METHODS OF FILING REPORTS

#### Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e). See also 11 CFR 104.18 and 100.19.

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 83-86 [PDF]

#### Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail.

See 11 CFR 104.5(e). See also 11 CFR 100.19.

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 82 [PDF]

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<sup>1</sup> Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a). See also 11 CFR 104.5(a).

<sup>2</sup> If a candidate has more than one authorized committee, the principal campaign committee files a consolidated report on Form 32 [PDF]. See 11 CFR 104.3(f).

## 2012 REPORTING SCHEDULE

- Web Page: [2012 Reporting Dates Page](#)
- The Record:
  - [FEC Record Blog: Reporting](#)
  - [January 2012 issue](#) [PDF]
- [Candidate Guide, p. 83](#) [PDF]

## COMPLIANCE

### Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See [11 CFR 104.14\(d\)](#).

- [Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings](#) [PDF]
- [Candidate Guide, p. 7-9](#) [PDF]

### Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).<sup>3</sup> See generally, [11 CFR Part 111 Subpart B](#). See also [11 CFR 111.43](#).

- Web Page: [Administrative Fine Program](#)
- [Candidate Guide, pp. 82-83](#) [PDF]

## DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file [FEC Form 3L](#) [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registant PACs that aggregate in excess of \$16,700 during the applicable reporting period ([see page 1 of this notice](#)). See [11 CFR 104.22](#) and [11 CFR 110.17\(f\)](#).

- The Record: [March 2009 issue](#) [PDF]
- [Candidate Guide, Appendix F, pp. 155-161](#) [PDF]

## IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.<sup>4</sup> This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

<sup>3</sup> Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

<sup>4</sup> Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

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

RICE FOR CONGRESS

Page 2 of 2

If you have any questions regarding this matter, please contact Sari Pickerall at our toll-free number (800)424-9530. Our direct local number is (202)694-1130.

Sincerely,

*Debbie Chacona*

Deborah Chacona  
Assistant Staff Director  
Reports Analysis Division

250

14092693976



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2013 AUG 30 AM 10: 49

**SENSITIVE**

August 30, 2013

**MEMORANDUM**

To: The Commission

Through: Alec Palmer *APCO*  
Staff Director

From: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Acting Reviewing Officer  
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2732 – Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer (C00514745)

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.

Please note, the Committee filed an Amended Statement of Organization (FEC Form 1) on August 17, 2013 to disclose the Candidate as the current Treasurer. The Reviewing Officer Recommendation reflects the change in Treasurer after RTB, listing the current respondents as Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer.

Attachment

14092693977





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 30, 2013

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

AF# 2732 – Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer  
(C00514745)

**Summary of Recommendation**

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$170 civil money penalty.

**Reason-to-Believe Background**

The 2012 Year End Report was due on January 31, 2013. The respondents have not yet filed the report. The report is not election sensitive. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On April 3, 2013, the Commission found reason to believe (RTB) that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2012 Year End Report and made a preliminary determination that the civil money penalty was \$990 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division (RAD) on April 4, 2013 to notify them of the Commission's RTB finding and civil money penalty.

**Legal Requirements**

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending December 31 no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

**Respondents' Challenge**

On May 14, 2013, the Commission received the written response ("challenge") from the Mr. James Blaney, Treasurer at the time of the RTB finding. Mr. Blaney explains that he had no intention of violating reporting requirements and also states, in part:

"...[A]lthough I am Treasurer I am not the person who has actually done the accounting work on the committee filings. I have been trying since receiving your notification to make sure all reports that are due are filed...Reasons for not filing are

14092693978

due primarily because of inexperience with the rules and procedures governing filing requirements."

Mr. Blaney requests the Commission reconsider imposing the fine, but also acknowledges that their situation may not qualify for reevaluation.

## Analysis

Commission records show that on December 21, 2012, a reminder Year End Report Notice was sent to "winthetenthnj@gmail.com," the email address disclosed on the Committee's Statement of Organization. On February 15, 2013, RAD sent a non-filer notice to that same email address.

Upon receipt of the challenge, the Reviewing Officer contacted Mr. Blaney to inform him the 2012 Year End Report must be filed as soon as possible. Mr. Blaney explained that he would contact the reports preparer for assistance, as he had little experience filing reports. The Reviewing Officer encouraged him to call the Commission if he needed any assistance. The Reviewing Officer kept contact with Mr. Blaney through mid-August, yet Mr. Blaney made no progress in filing the report because the reports preparer was unavailable to assist.

While Mr. Blaney was the Committee's Treasurer at the time of RTB, he indicated that the Candidate would be taking over the role of Treasurer. On August 16, 2013, the Reviewing Officer contacted the Candidate to explain the Commission would be proceeding with the Reviewing Officer Recommendation (ROR), absent the filing of the 2012 Year End Report. The Candidate acknowledged his responsibility to file the report and encouraged the Reviewing Officer he would work to file the report. The Reviewing Officer explained that a Miscellaneous Document (Form 99) documenting the Committee's total receipts and total disbursements for the reporting period would be an acceptable alternative for the purposes of proceeding with the ROR, yet still encouraged him to also file the report as soon as possible.

On August 17, 2013, the Committee filed an Amended Statement of Organization disclosing the Candidate, Ronald C. Rice, as Treasurer.

At the time of the RTB finding, the Commission used an estimated level of activity (\$38,214) to calculate the fine because the report had not yet been filed. 11 C.F.R. § 111.43(d)(2)(i). As of this date, the 2012 Year End Report has still not been filed. However, on August 29, 2013, Mr. Rice submitted a statement to disclose a monthly summary of the Committee's activity for 2012. For the 2012 Year End reporting period, Mr. Rice disclosed \$0 in total receipts and \$170.70 in total disbursements, resulting in a level of activity of \$170.70. Using the schedule of penalties at 11 C.F.R. § 111.43(a), the civil money penalty for respondents with no previous violations will not exceed the level of activity in the report. Therefore, the civil money penalty is \$170, reduced from the RTB civil money penalty of \$990.

Inexperience and unavailability of committee staff, including the treasurer, are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control. Their challenge fails to address any of the three valid grounds 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 \$170 civil money penalty.

#### **OAR Recommendations**

- 1) Adopt the Reviewing Officer recommendation for AF# 2732 involving Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer, in making the final determination;
- 2) Make a final determination in AF# 2732 that Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a \$170 civil money penalty (reduced from the RTB civil money penalty of \$990); and
- 3) Send the appropriate letter.

Acting Reviewing Officer: Rhiannon Magruder

#### **Attachments**

- Attachment 1 – Challenge Received from Respondents
- Attachment 2 – Miscellaneous Statement from Respondents
- Attachment 3 –
- Attachment 4 – Declaration from RAD
- Attachment 5 – Declaration from OAR

August 29, 2013

Ms. Rhiannon Macgruder  
Acting Reviewing Officer  
Office of Administrative Review  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Ms. Macgruder:

Please accept this statement as the full listing of the total receipts and disbursements for the 2012 Year End Reporting Period. The total receipts and disbursements are as follows:

<u>MONTH</u>	<u>RECEIPTS</u>	<u>DISBURSEMENTS</u>
January 2012	\$7,034.15	\$1,804.76
February 2012	\$3,457.36	\$4,477.39
March 2012	\$3,244.97	\$4,579.12
April 2012	\$9,096.46	\$8,875.12
May 2012	\$26,501.55	\$19,607.95
June 2012	\$40,794.72	\$42,121.33
July 2012	\$0	\$7,176.94
August 2012	\$600.00	\$1,025.00
September 2012	\$0	\$1,000.00
October 2012	\$0	\$45
November 2012	\$0	\$0
December 2012	\$0	\$125.70


**TOTAL RECEIPTS: \$90,729.21**

**TOTAL DISBURSEMENTS: \$90,838.31**

My hope is to provide an itemized list of all of the above in a formal filing as soon as possible. Please note that I am a novice concerning the filing of reports, but will do my best based on all of the campaign's bank statements and supporting documentation that has been provided to me from the previous responsible parties.

Thank you for your patience and diligence in working with me.

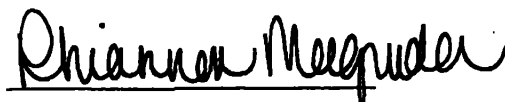
Sincerely,

  
Ronald C. Rice  
Candidate/Acting Treasurer  
Rice for Congress 2012

14092693981

## DECLARATION OF RHIANNON MAGRUDER

1. I am the Acting Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Acting Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2012 Year End Report is due January 31, 2013. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on January 31, 2013 to be timely filed.
3. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
4. I hereby certify that I have searched the Commission's public records and that Rice for Congress and Ronald C. Rice, in official capacity as Treasurer, have not yet filed the 2012 Year End Report.
5. I hereby certify that I have searched the Commission's public records and that the attached document is a true and accurate copy of the Amended Statement of Organization filed by Rice for Congress and Ronald C. Rice, in official capacity as Treasurer. This document lists Ronald C. Rice as Treasurer and was received on August 17, 2013.
6. 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 30th of August, 2013.



Rhiannon Magruder  
Acting Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

FEC  
FORM 1

STATEMENT OF  
ORGANIZATION

RECEIVED  
2013 AUG 19 AM 11:52  
FEC MAIL CENTER  
Office Use Only

1. NAME OF  
COMMITTEE (In full)

☐

(Check if name  
is changed)

Example: If typing, type  
over the lines.

12FE4M5

Rice For Congress

ADDRESS (number and street)

35 - 37 Colleen Street

☒

(Check if address  
is changed)

Newark

NJ

7106

CITY

STATE

ZIP CODE

COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)

☐

(Check if address  
is changed)

COMMITTEE'S WEB PAGE ADDRESS (URL)

☐

(Check if address  
is changed)

2. DATE

08

8

2013

3. FEC IDENTIFICATION NUMBER

C

4. IS THIS STATEMENT

☐

NEW (N)

OR

☒

AMENDED (A)

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

Type or Print Name of Treasurer

Ronald C. Rice

Signature of Treasurer



Date

08

08

2013

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office  
Use  
Only

For further information contact:  
Federal Election Commission  
Toll Free 800-424-9530  
Local 202-684-1100

FEC FORM 1  
(Revised 02/2008)

## 5. TYPE OF COMMITTEE

## Candidate Committee:

- (a) ☒ This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) ☐ This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate **Ron Rice**

Candidate  
Party Affiliation

**DEM**

Office  
Sought:



House



Senate



President

State

District

- (c) ☐ This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of  
Candidate

## Party Committee:

- (d) ☐ This committee is a \_\_\_\_\_ (National, State or subordinate) committee of the \_\_\_\_\_ (Democratic, Republican, etc.) Party.

## Political Action Committee (PAC):

- (e) ☐ This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Corporation             | <input type="checkbox"/> Corporation w/o Capital Stock | <input type="checkbox"/> Labor Organization |
| <input type="checkbox"/> Membership Organization | <input type="checkbox"/> Trade Association             | <input type="checkbox"/> Cooperative        |
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- (f) ☐ This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- ☐ In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

## Joint Fundraising Representative:

- (g) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

## Committees Participating in Joint Fundraising

- |          |                        |
|----------|------------------------|
| 1. _____ | FEC ID number <b>C</b> |
| 2. _____ | FEC ID number <b>C</b> |
| 3. _____ | FEC ID number <b>C</b> |
| 4. _____ | FEC ID number <b>C</b> |

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13031111455

Write or Type Committee Name

**8. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor**

Mailing Address

CITY

STATE

ZIP CODE

Relationship: ☐ Connected Organization ☐ Affiliated Committee ☐ Joint Fundraising Representative ☐ Leadership PAC Sponsor**7. Custodian of Records: Identify by name, address (phone number – optional) and position of the person in possession of committee books and records.**

Full Name

Ronald C. Rice

Mailing Address

35 - 37 Collen Street

Newark

NJ

07106

Title or Position

CITY

STATE

ZIP CODE

Treasurer

Telephone number 973 342 5990

**8. Treasurer: List the name and address (phone number – optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).**Full Name  
of Treasurer

Ronald C. Rice

Mailing Address

35 - 37 Collen Street

Newark

NJ

07106

Title or Position  
Treasurer

CITY

STATE

ZIP CODE

Telephone number 973 342 5990

14092693985  
13031111456



Full Name of  
Designated  
Agent

Ronald C. Rice

Mailing Address

35 - 37 Colleen Street

Newark

NJ

07106

CITY

STATE

ZIP CODE

Title or Position  
Treasurer

Telephone number

973

342

5990

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

City National Bank Of New Jersey

Mailing Address

900 Broad Street

Newark

NJ

07102

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

Mailing Address

CITY

STATE

ZIP CODE

14092693986  
13031111457



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

August 30, 2013

Ronald C. Rice, in official capacity as Treasurer  
Rice for Congress  
35-37 Colleen Street  
Newark, NJ 07106

C00514745

AF#: 2732

Dear Mr. Rice:

On April 3, 2013, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Rice for Congress and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2012 Year End Report. The Commission also made a preliminary determination that the civil money penalty was \$990 based on the schedules of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer 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 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written responses 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 these matters.

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

Sincerely,

A handwritten signature in cursive script that reads "Rhiannon Magruder".

Rhiannon Magruder  
Acting Reviewing Officer  
Office of Administrative Review

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2013 SEP 16 PM 4: 09

September 16, 2013

MEMORANDUM

**SENSITIVE**

To: The Commission

Through: Alec Palmer *AP*  
Staff Director

From: Patrieia C. Orrock *PCO*  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Acting Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2732 – Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer (C00514745)

On April 3, 2013, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2012 Year End Report. The Commission also made a preliminary determination that the civil money penalty was \$990 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 14, 2013, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated August 30, 2013 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 based on the activity disclosed by the Candidate on August 29, 2013, assess a \$170 civil money penalty (reduced from the RTB civil money penalty of \$990) because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received, nor has the Committee filed the 2012 Year End Report.

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Please note, the Committee filed an Amended Statement of Organization (FEC Form 1) on August 17, 2013 to disclose the Candidate as the current Treasurer. The ROR and Final Determination Recommendation reflect the change in Treasurer after RTB, listing the current respondents as Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer.

#### **OAR Recommendations**

- 1) Adopt the Reviewing Officer recommendation for AF# 2732 involving Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer, in making the final determination;
- 2) Make a final determination in AF# 2732 that Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a \$170 civil money penalty (reduced from the RTB civil money penalty of \$990); and
- 3) Send the appropriate letter.

Acting Reviewing Officer: Rhiannon Magruder

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Final Determination Recommendation: ) AF 2732  
Rice for Congress and Ronald C. Rice, in )  
his official capacity as Treasurer )  
(C00514745) )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 25, 2013, the Commission decided by a vote of 4-0 to take the following actions in AF# 2732:

1. Adopt the Reviewing Officer recommendation for AF# 2732 involving Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2732 that Rice for Congress and Ronald C. Rice, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a \$170 civil money penalty (reduced from the RTB civil money penalty of \$990).
3. Send the appropriate letter.

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

Attest:

September 26, 2013  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

14092693990



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 18, 2013

**VIA OVERNIGHT DELIVERY**

Ronald C. Rice, in official capacity as Treasurer  
Rice for Congress  
35-37 Colleen Street  
Newark, NJ 07106

C00514745

AF#: 2732

Dear Mr. Rice:

On April 3, 2013, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Rice for Congress and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2012 Year End Report. By letter dated April 4, 2013, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$990 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 14, 2013, the Office of Administrative Review received your written response, challenging the RTB finding.

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 reduce the RTB civil money penalty because it was calculated on an estimated level of activity, make a final determination that Rice for Congress and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the activity disclosed by you on August 29, 2013, assess a \$170 civil money penalty (reduced from the RTB civil money penalty of \$990), in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Reviewing Officer Recommendation, a copy of which was sent to you on August 30, 2013.

On September 25, 2013, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Rice for Congress and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and based on the activity disclosed by you on August 29, 2013, assessed a \$170 civil money penalty (reduced from the RTB civil money penalty of \$990). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the final determination memorandum is attached.

14092693991

At this juncture, the following courses of action are available to you:

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

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

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

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

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within 30 days of receipt of this letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

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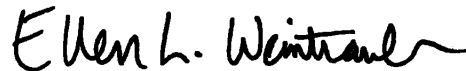
**5. Settlement Offers**

If you make a payment in an amount less than the civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

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 CFR § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

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

On behalf of the Commission,



Ellen L. Weintraub  
Chair



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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$170 for the 2012 Year End Report.

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

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

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

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

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

**PAYMENTS BY PERSONAL CHECK**

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

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Rice for Congress

FEC ID#: C00514745

AF#: 2732

PAYMENT AMOUNT DUE: \$170

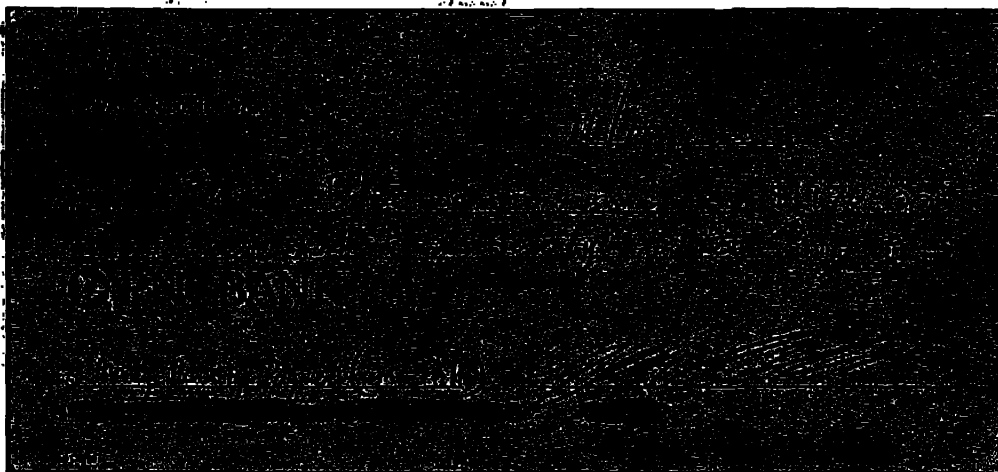
FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058 Ledger Date 11/25/2013

14092693995

**usbank.**

St. Louis GA Lockbox  
(314) 425-1818



Batch	Item	TID	Batch Total	Amount
1	1	Y-3023223	\$170.00	\$170.00



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2732

DATE SCANNED

1/10/14

SCANNER NO.

2

SCAN OPERATOR

EEJ

14092693996