



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2774

DATE SCANNED 8/20/14

SCANNER NO. 2

SCAN OPERATOR SES

1-800-438-6800



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2014 APR -1 PM 4: 32

April 1, 2014

MEMORANDUM

CONFIDENTIAL

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

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

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickeral *KDR dp*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation -2013 Year-End Report for the
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2013 Year-End Report in accordance with 2 U.S.C. 434(a). The Year-End Report was due on January 31, 2014.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed 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.

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.

CONFIDENTIAL

4/1/2014 2 16 PM

Federal Election Commission
Reason to Believe Circulation Report
2013 YEAR-END Not Election Sensitive 01/31/2014 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2774	C00411173	COMMERCIAL REAL ESTATE FINANCE COUNCIL PAC		STEPHEN RENNA	\$124,627	0	2/7/2014	7	\$36,645	\$340
2775	C00553164	DAVID M ALAMEEL FOR UNITED STATES SENATE	ALAMEEL, DAVID M	DAVID PULLING	\$1,257,586	0	2/6/2014	6	\$1,257,586	\$6,700
2780	C00550780	JIM RUBENS FOR US SENATE	RUBENS, JIM	JEFF POSTUPACK	\$320,860	0	2/18/2014	18	\$43,314	\$560

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2013)
Year-End Report for the Administrative)
Fine Program:)

COMMERCIAL REAL ESTATE) AF# 2774
FINANCE COUNCIL PAC, and RENNA,)
STEPHEN as treasurer;)
DAVID M ALAMEEL FOR UNITED) AF# 2775
STATES SENATE, and DAVID PULLING)
as treasurer;)

JIM RUBENS FOR US SENATE, and) AF# 2780
JEFF POSTUPACK as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 03, 2014 the Commission took the following actions on the Reason To Believe Recommendation - 2013 Year-End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated April 01, 2014, on the following committees:

AF#2774 Decided by a vote of 6-0 to: (1) find reason to believe that COMMERCIAL REAL ESTATE FINANCE COUNCIL PAC, and RENNA, STEPHEN 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2775 Decided by a vote of 6-0 to: (1) find reason to believe that DAVID M ALAMEEL FOR UNITED STATES SENATE, and DAVID PULLING 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

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AF#2780 Decided by a vote of 6-0 to: (1) find reason to believe that JIM RUBENS FOR US SENATE, and JEFF POSTUPACK 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission
Certification for Administrative Fines
April 03, 2014

Page 4

Attest:

April 3, 2014
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, 2014

Stephen Renna, in official capacity as Treasurer
Commercial Real Estate Finance Council PAC
30 Broad Street, 28th Floor
New York City, NY 10004

C00411173
AF#: 2774

Dear Mr. Renna:

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 July 1, 2013 through December 31, 2013, shall be filed no later than January 31, 2014. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on February 7, 2014, seven (7) days late.

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, 2014, the FEC found that there is reason to believe ("RTB") that Commercial Real Estate Finance Council PAC 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, 2014. 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 \$340. 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 \$340 is due within forty (40) days of the finding, or by May 13, 2014, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$36,645
Number of Days Late: 7
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, NW, Washington, DC 20463. Your response must be received within forty (40) days of the

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Commission's RTB finding, or May 13, 2014. 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 Commercial Real Estate Finance Council PAC 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).

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.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

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

5. Settlement Offers

If you make a payment in an amount less than the calculated 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 assesses 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.

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 Pickerall 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,



Lee E. Goodman
Chairman

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 \$340 for the 2013 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, 2014. 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: Commercial Real Estate Finance Council PAC

FEC ID#: C00411173

AF#: 2774

PAYMENT DUE DATE: May 13, 2014

PAYMENT AMOUNT DUE: \$340

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2014 JUL 16 PM 12:25

July 15, 2014

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

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

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

BY: Kristin D. Roser/Sari Pickerall *KDR* *SP*
Reports Analysis Division
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the
2013 Year-End Report

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2013 Year-End Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

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

For your information, five (5) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. All five (5) committees will be

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assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding. An overview of each of these cases has been provided below.

RAD Recommendation

- (1) Make a final determination that the 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.
- (2) Send the appropriate letters.

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Federal Election Commission
FD Circulation Report Fine Paid
2013 YEAR-END Not Election Sensitive 01/31/2014 H_S_P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2774	COMMERCIAL REAL ESTATE FINANCE COUNCIL PAC		C00411173	STEPHEN RENNA	02/07/2014	7	\$36,645	0	04/03/2014	\$340	\$340	05/06/2014	\$340
2775	DAVID M ALAMEEL FOR UNITED STATES SENATE	ALAMEEL, DAVID M	C00553164	DAVID PULLING	02/06/2014	6	\$1,257,586	0	04/03/2014	\$6,700	\$6,700	04/30/2014	\$6,700
2780	JIM RUBENS FOR US SENATE	RUBENS, JIM	C00550780	JEFF POSTUPACK	02/18/2014	18	\$43,314	0	04/03/2014	\$560	\$560	04/23/2014	\$560

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program - Final)
Determination Recommendation for the)
2013 Year-End Report:)

COMMERCIAL REAL ESTATE) AF# 2774
FINANCE COUNCIL PAC, and RENNA,)
STEPHEN as treasurer;)
DAVID M ALAMEEL FOR UNITED) AF# 2775
STATES SENATE, and DAVID PULLING)
as treasurer;)

JIM RUBENS FOR US SENATE, and) AF# 2780
JEFF POSTUPACK as treasurer;)

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on July 17, 2014 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2013 Year-End Report as recommended in the Reports Analysis Division's Memorandum dated July 15, 2014, on the following committees:

AF#2774 Decided by a vote of 6-0 to: (1) make a final determination that COMMERCIAL REAL ESTATE FINANCE COUNCIL PAC, and RENNA, STEPHEN as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2775 Decided by a vote of 6-0 to: (1) make a final determination that DAVID M ALAMEEL FOR UNITED STATES SENATE, and DAVID PULLING as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

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AF#2780 Decided by a vote of 6-0 to: (1) make a final determination that JIM RUBENS FOR US SENATE, and JEFF POSTUPACK as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

July 18, 2014
Date

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

1406260472



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 18, 2014

Stephen Renna, in official capacity as Treasurer
Commercial Real Estate Finance Council PAC
900 Seventh Street, NW, Suite 501
Washington, DC 20001

C00411173
AF#: 2774

Dear Mr. Renna:

On April 3, 2014, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Commercial Real Estate Finance Council PAC and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) for filing late or failing to file the 2013 Year-End Report. By letter dated April 4, 2014, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage totaling \$340 in accordance with the schedule of penalties at 11 CFR § 111.43.

On May 6, 2014, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on July 17, 2014 that Commercial Real Estate Finance Council PAC and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a), assessed a civil money penalty in the amount of \$340 in accordance with 11 CFR § 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 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 this matter, please contact Sari Pickerall on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

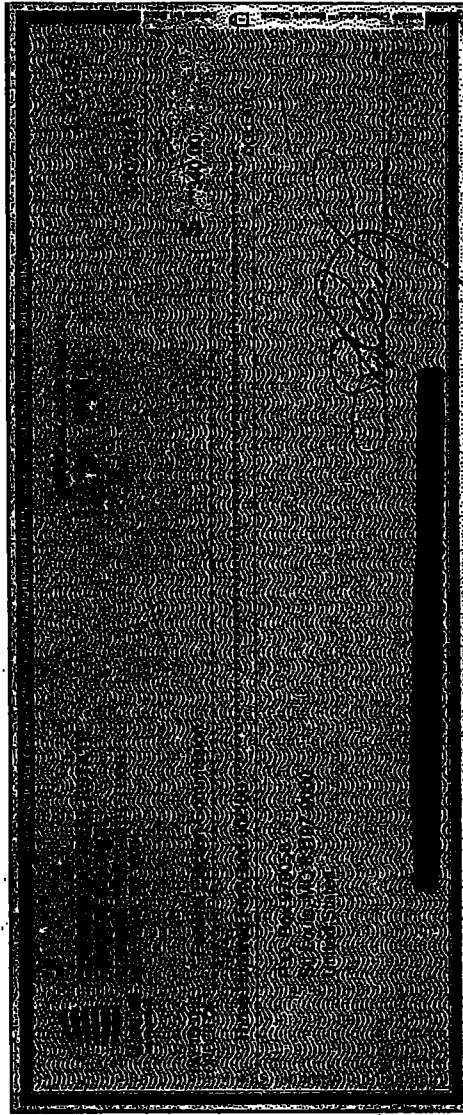
On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Lee E. Goodman".

Lee E. Goodman
Chairman

Lockbox: GLX-979058 Ledger Date 05/05/2014

St. Louis GA Lockbox
(314) 425-1818



Batch	Item	TID	Batch Total	Amount
1	1	Y-3012048	\$640.00	\$340.00



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2774

DATE SCANNED 8/20/14

SCANNER NO. 2

SCAN OPERATOR SES

140000047175