



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2871

DATE SCANNED 8/7/15

SCANNER NO. 2

SCAN OPERATOR JB

CONFIDENTIAL



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2014 DEC 10 AM 10:54

December 9, 2014

SENSITIVE

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *for PCO*
Staff Director

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

Debbie Chacona *DC MYI*
Assistant Staff Director
Reports Analysis Division

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

SUBJECT: Reason To Believe Recommendation - 2014 October Quarterly Report
(Election Sensitive) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2014 October Quarterly Report in accordance with 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). The 2014 October Quarterly Report was due on October 15, 2014.

Under the Administrative Fine Program, the October Quarterly Report is considered an election-sensitive filing for authorized committees supporting candidates involved in the general election as well as all unauthorized committees. For the committees listed on the attached RTB Circulation Report, the October Quarterly Report was an election-sensitive filing. The committees either filed the report after the due date, failed to file the report or failed to file the report prior to four (4) days before the general election (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR. 111.43, these committees should be assessed the civil money penalties included on the attached report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)) and make a

2. Send the appropriate letters.

2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2014 OCTOBER QUARTERLY Election Sensitive 10/15/2014 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2867	C00165803	BUNCOMBE COUNTY REPUBLICAN PARTY		STEVEN LYNN FOSTER	\$125,516	0	11/19/2014	Not Filed	\$15,818	\$1,090

2871	C00561712	SARVIS FOR SENATE	SARVIS, ROBERT CHRISTOPHER	JOSEF STORM	\$124,816	0	10/22/2014	7	\$37,556	\$522
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THEORY

[illegible]

AF# 2867

AF# 2871

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 11, 2014 the Commission took the following actions on the Reason To Believe Recommendation – 2014 October Quarterly Report (Election Sensitive) for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated December 09, 2014, on the following committees:

AF#2867 Decided by a vote of 6-0 to: (1) find reason to believe that BUNCOMBE COUNTY REPUBLICAN PARTY, and FOSTER, STEVEN LYNN as treasurer violated 52 U.S.C. 30104(a) (formerly 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#2871 Decided by a vote of 6-0 to: (1) find reason to believe that SARVIS FOR SENATE, and JOSEF STORM as treasurer violated 52 U.S.C. 30104(a) (formerly 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.

Attest:

December 12, 2014
Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 2014

Josef Storm, in official capacity as Treasurer
Sarvis for Senate
P.O. Box 224
Annandale, VA 22003

C00561712
AF#: 2871

Dear Mr. Storm:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period July 1, 2014 through September 30, 2014, shall be filed no later than October 15, 2014. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). Records at the Federal Election Commission ("FEC") indicate that this report was filed on October 22, 2014, seven (7) days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). 52 U.S.C. § 30109(a)(4) (formerly 2 U.S.C. § 437g(a)(4)). On December 11, 2014, the FEC found that there is reason to believe ("RTB") that Sarvis for Senate and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) by failing to file timely this report on or before October 15, 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 \$522. 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 \$522 is due within forty (40) days of the finding, or by January 20, 2015, and is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$37,556
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 Commission's RTB finding, or January 20, 2015. 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 52 U.S.C. § 30109 (formerly 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 Sarvis for Senate and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 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).

Page 11

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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.

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.

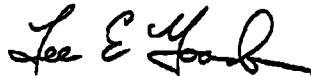
5. Settlement Offers

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. 52 U.S.C. § 30109(a)(2) (formerly 2 U.S.C. § 437g(a)(2)). It will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)) and 30109(a)(12)(A) (formerly 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 \$522 for the 2014 October Quarterly Report.

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

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

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

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

The remittance and your payment are due by January 20, 2015. 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: Sarvis for Senate

FEC ID#: C00561712

AF#: 2871

PAYMENT DUE DATE: January 20, 2015

PAYMENT AMOUNT DUE: \$522

Federal Election Commission
Washington, DC 20463

RE: Penalty imposed on Sarvis for Senate (C00561712; AF # 2871)

January 20, 2015

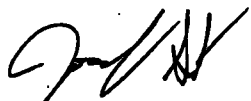
To Whom It May Concern,

I received your letter dated December 12, 2014, whereby the Sarvis for Senate committee was assessed a penalty of \$522 for submitting a report late. This penalty letter indicated that by demonstrating circumstances beyond my control would be sufficient grounds for a challenge, particularly noting severe weather as an appropriate circumstance. This was most certainly my circumstance, as I intended to send our election filing on October 15th. However, the entire DC area was suffering from tornadoes and severe storms for much of the workday. Given the storms, I was unable to leave during my lunch hour, and my leaving work early to try and make it to the post office did me no justice, as the storms left the afternoon traffic in complete disarray. I gather you faced similar circumstances that day, given the FEC's Washington, DC-based location.

Instead, I promptly submitted the filing first thing in the morning the very next day... October 16th. I enclosed a quick post-it note message highlighting the tornado weather being the reason for the next day mailing. I also happened to mail the filing package from the U.S. Post Office in downtown Rosslyn in Arlington, Virginia. I apologize for not being intimately familiar with the certified mail postage requirement, as I erred in not doing so. I concede is my only fault. But please forgive my being shocked at hearing that my filing package took 6 days to reach the U.S. Senate from this particular Post Office location, as one could reasonably walk the distance between these two locations in an hour. As such, I'm very skeptical of 7 days late assessment stipulated on the letter.

In good faith, Rob Sarvis, the candidate, has written a personal check for the \$522 penalty amount. But I politely request an abatement of some if not all of this penalty assessment given the severe weather faced on filing day, not to mention the extreme unlikelihood that the package took 6 days to reach the U.S. Senate building. Again, I concede my only fault was not filing via certified mail. I sincerely appreciate your taking the time to consider my penalty abatement request.

Kind Regards,



Josef Storm
Treasurer
Sarvis for Senate



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 28, 2015

Josef Storm, Treasurer
Sarvis for Senate
P.O. Box 224
Annandale, VA 22003

C00561712
AF#: 2871

Dear Mr. Storm:

On January 26, 2015, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") for Sarvis for Senate and you, in your official capacity as Treasurer, which is being reviewed by OAR. If you have any questions regarding your 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
Reviewing Officer
Office of Administrative Review



RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

FEDERAL ELECTION COMMISSION 2015 MAR -4 PM 12:33
WASHINGTON, D.C. 20463

March 4, 2015

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Staff Director

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

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2871 – Sarvis for Senate and Josef Storm, in his official capacity as Treasurer (C00561712)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation. After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 4, 2015

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

AF# 2871 – Sarvis for Senate and Josef Storm, in his official capacity as Treasurer (C00561712)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$522 civil money penalty.

Reason-to-Believe Background

The 2014 October Quarterly was due on October 15, 2014. The respondents filed the report on October 22, 2014, 7 days late. The report is election sensitive and was filed prior to four days before the November 4, 2014 General Election; therefore, the report is considered late. 11 C.F.R. §§ 111.43(d)(1) and (e)(2).

On December 11, 2014, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to timely file the 2014 October Quarterly Report and made a preliminary determination that the civil money penalty was \$522 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 December 12, 2014 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 September 30 no later than October 15. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and 11 C.F.R. § 104.5(a)(1)(i). All reports required to be filed by the principal campaign committee of a candidate for the office of U.S. Senator shall be filed with the Secretary of the Senate. 52 U.S.C. § 30102(g) (formerly 2 U.S.C. § 432(g)) and 11 C.F.R. § 105.2. If the report is sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system, and scheduled for next business day delivery, it must be postmarked, or deposited with the mailing service, no later than the filing date to be timely filed. 52 U.S.C. § 30104(a)(5) (formerly 2 U.S.C. § 434(a)(5)), and 11 C.F.R. §§ 100.19 and 104.5(e). The treasurer shall be personally responsible for the timely and complete filing of reports and for the accuracy of any information or statement contained in it. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On January 26, 2015, the Commission received the written response ("challenge") from the Treasurer. The challenge states that due to tornadoes and severe weather in Alexandria, Virginia on October 15, 2014, he was unable to leave his office during his lunch hour to mail the 2014 October Quarterly Report. The "...storms left the afternoon traffic in complete disarray," also preventing him from mailing the report later in the day.

Instead, he mailed the report via U.S.P.S. on the morning of October 16, 2014, yet the report did not arrive at the Secretary of the Senate until October 22, 2014. The Treasurer apologizes "...for not being intimately familiar with the certified mail postage requirement..." and acknowledges that he erred in not sending the report via certified mail. He then states he finds it shocking that it took six days for the report to travel such a short distance, and he is "...very skeptical of the 7 days late assessment stipulated on the [RTB] letter."

The Treasurer concludes by mentioning that the Candidate has paid the \$522 civil money penalty out of personal funds, but he "politely request[s] an abatement of some if not all of this penalty assessment given the severe weather faced on filing day, not to mention the extreme unlikelihood that the package took 6 days to reach the U.S. Senate building."

The respondents included a copy of the RTB letter with the challenge.

Analysis

The 2014 October Quarterly Report was due on October 15, 2014. The respondents contend that severe weather in Alexandria, Virginia prevented the Treasurer from mailing the report on that date. Data from the National Weather Service indicates that a low-impact tornado was confirmed in Alexandria from 12:23 p.m. to 12:26 p.m. The most severe damage recorded was downed trees and snapped tree branches.

The respondents' challenge attempts to demonstrate that the severe weather was a circumstance that was beyond their control which prevented them from timely filing the 2014 October Quarterly Report. However, this alone does not satisfy the grounds for challenging a proposed civil money penalty, as outlined at 11 C.F.R. § 111.35(b). The "best efforts" defense is a two-part test: (1) the respondents used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and (2) they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 111.35(b)(3).

The respondents' statements and National Weather Service data indicate that the storm may have made it more inconvenient to mail the report; however, the storm had a relatively low impact and did not *prevent* the respondents from mailing the report. The Committee's records and mailing services were available to timely file the report on October 15, 2014. The respondents also failed to meet the second part of the test by not filing the report within 24 hours of the end of the storm. Although the report was mailed within 24 hours on October 16, 2014, it was mailed via first class mail. Therefore, it was not considered filed until received at the Secretary of the Senate on October 22, 2014, 7 days after the filing deadline. 52 U.S.C. § 30104(a)(5) (formerly 2 U.S.C. § 434(a)(5)), 11 C.F.R. §§ 100.19(b) and 104.5(e).

11/10/2014 10:44:44

In the challenge, the Treasurer acknowledges that he erred in not sending the 2014 October Quarterly Report via certified mail and admits that he was previously unfamiliar with this "requirement." While it is not a requirement to send reports via certified mail, the Secretary of the Senate determines filing receipt dates based on the mailing method. Reports mailed via first class mail are required to be delivered at the Secretary of the Senate by close of business on the filing date to be considered timely filed. Reports mailed via registered mail, certified mail, priority or express mail having a delivery confirmation, or overnight delivery service are considered filed on the postmark date. 52 U.S.C. § 30104(a)(5) (formerly 2 U.S.C. § 434(a)(5)), 11 C.F.R. §§ 100.19(b) and 104.5(e).

While the Treasurer may not have been aware that reports filed via first class mail are only considered filed once received, the regulations are clear in how the Secretary of the Senate determines filing receipt dates. In addition, on September 21, 2014, the Commission's Information Division sent an email to "treasurer@robertsarvis.com." The email reminded the Committee of the 2014 October Quarterly Report filing requirement and included a link to the 2014 October Quarterly Report Prior Notice on the Commission's website. The Prior Notice contained a link to Supplemental Filing Information for Congressional Committees, which directs paper filers to page 82 of the Commission's *Campaign Guide for Congressional Candidates and Committees*. It explains:

"If a statement or report is sent by registered mail, certified mail or overnight mail with an online tracking system, it is considered filed on the date of the U.S. postmark...100.19. The committee should retain evidence that it delivered the report to the U.S. Postal Service or the overnight delivery service, in the event of a delivery failure...

...If a statement or report is sent by first class mail, it is considered filed on the date it is received by the Secretary of the Senate... 100.19(b)(2) and 104.5(e). *The risk of timely delivery is on the filer.*" (emphasis added)

The Treasurer also questions the length of time it took for the Secretary of the Senate to receive the 2014 October Quarterly Report. As noted in the Supplemental Filing Information of the 2014 October Quarterly Prior Notice, the U.S.P.S. irradiates mail directed to the Secretary of the Senate, often delaying mail delivery. Due to the absence of tracking data for first class mail services, no details are available to further explain the delay. Regardless, as stated above, when mailing reports via first class mail, the risk of timely delivery is on the filer.

Their challenge fails to demonstrate that 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. 11 C.F.R. § 111.35(b). The Reviewing Officer recognizes the severe weather may have made it more inconvenient for the respondents to mail the 2014 October Quarterly Report on October 15, 2014. However, even if the respondents did mail the report via first class mail on that date, it would not have been received at the Secretary of the Senate until after the October 15, 2014 filing deadline. The Reviewing Officer confirms the report is considered filed when received at the Secretary of the Senate on October 22, 2014, 7 days late, as determined at RTB. Therefore, the

Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$522 civil money penalty. If the Commission votes to uphold the Reviewing Officer's recommendation, the respondents will not be required to remit any additional funds, as \$522 was received at the Commission's lockbox on January 26, 2015.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 2871 that Sarvis for Senate and Josef Storm, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 2871 that Sarvis for Senate and Josef Storm, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$522 civil money penalty; and
3. Send the appropriate letter.

Attachments

Attachment 1 – Challenge Received from Respondents
Attachment 2 – National Weather Service Storm Tracking Data
Attachment 3 –
Attachment 4 – Page 82 of Campaign *Guide for Congressional Candidates and Committees*
Attachment 5 – Declaration from RAD
Attachment 6 – Declaration from OAR

Federal Election Commission
Washington, DC 20463

RE: Penalty imposed on Sarvis for Senate (C00561712; AF # 2871)

January 20, 2015

To Whom It May Concern,

I received your letter dated December 12, 2014, whereby the Sarvis for Senate committee was assessed a penalty of \$522 for submitting a report late. This penalty letter indicated that by demonstrating circumstances beyond my control would be sufficient grounds for a challenge, particularly noting severe weather as an appropriate circumstance. This was most certainly my circumstance, as I intended to send our election filing on October 15th. However, the entire DC area was suffering from tornadoes and severe storms for much of the workday. Given the storms, I was unable to leave during my lunch hour, and my leaving work early to try and make it to the post office did me no justice, as the storms left the afternoon traffic in complete disarray. I gather you faced similar circumstances that day, given the FEC's Washington, DC-based location.

Instead, I promptly submitted the filing first thing in the morning the very next day... October 16th. I enclosed a quick post-it note message highlighting the tornado weather being the reason for the next day mailing. I also happened to mail the filing package from the U.S. Post Office in downtown Rosslyn in Arlington, Virginia. I apologize for not being intimately familiar with the certified mail postage requirement, as I erred in not doing so. I concede is my only fault. But please forgive my being shocked at hearing that my filing package took 6 days to reach the U.S. Senate from this particular Post Office location, as one could reasonably walk the distance between these two locations in an hour. As such, I'm very skeptical of 7 days late assessment stipulated on the letter.

In good faith, Rob Sarvis, the candidate, has written a personal check for the \$522 penalty amount. But I politely request an abatement of some if not all of this penalty assessment given the severe weather faced on filing day, not to mention the extreme unlikelihood that the package took 6 days to reach the U.S. Senate building. Again, I concede my only fault was not filing via certified mail. I sincerely appreciate your taking the time to consider my penalty abatement request.

Kind Regards,



Josef Storm
Treasurer
Sarvis for Senate



Customize
Your
Weather.gov

City, ST

Enter Your City, ST or
ZIP Code

☐ Remember Me

Get Weather

Privacy Policy

Two EF-0 tornadoes confirmed near Washington DC and Baltimore on October 15, 2014

Sterling, VA
Weather Forecast Office

Weather.gov > Sterling, VA > Two EF-0 tornadoes confirmed near Washington DC and Baltimore on October 15, 2014

Current Hazards Current Conditions Radar Forecasts Rivers and Lakes Climate and Past Weather Local Programs

...TORNADO CONFIRMED NEAR ALEXANDRIA IN EASTERN FAIRFAX COUNTY
COUNTY VIRGINIA...

LOCATION...EASTERN FAIRFAX COUNTY AND THE CITY OF ALEXANDRIA
VIRGINIA

DATE...OCTOBER 15 2014
ESTIMATED TIME...12:23 PM TO 12:26 PM EDT
MAXIMUM EF-SCALE RATING...EF-0
ESTIMATED MAXIMUM WIND SPEED...55-65 MPH
MAXIMUM PATH WIDTH...75 YARDS
PATH LENGTH...1.5 MILES
BEGINNING LAT/LON...38.786N/77.060W
ENDING LAT/LON...38.801N/77.049W
• FATALITIES...NONE
• INJURIES...NONE

• THE INFORMATION IN THIS STATEMENT IS PRELIMINARY AND SUBJECT TO
CHANGE PENDING FINAL REVIEW OF THE EVENT(S) AND PUBLICATION IN
NWS STORM DATA.

...SUMMARY...
THE NATIONAL WEATHER SERVICE IN BALTIMORE MD/WASHINGTON DC HAS
CONFIRMED A TORNADO IN EASTERN FAIRFAX COUNTY AND THE CITY OF
ALEXANDRIA VIRGINIA ON OCTOBER 15 2014.

AFTER A REVIEW OF RADAR OBSERVATIONS...PUBLIC...AND BROADCAST
MEDIA REPORTS...THE NATIONAL WEATHER SERVICE IN BALTIMORE
MD/WASHINGTON DC HAS CONFIRMED THAT ON WEDNESDAY AFTERNOON OCTOBER
15 2014...AN EF-0 TORNADO TOUCHED DOWN NEAR BELLE HAVEN IN EASTERN
FAIRFAX COUNTY VIRGINIA AND CONTINUED NORTH ON AN APPROXIMATE 1.5
MILE INTERMITTENT DAMAGE PATH TO THE CITY OF ALEXANDRIA BEFORE
DISSIPATING.

THIS REVIEW IS BASED ON CORROBORATING EVIDENCE OF OBSERVED DAMAGE
LOCATIONS AND ROTATIONAL VELOCITY COUPLERS FROM THE FEDERAL
AVIATION ADMINISTRATIONS TERMINAL DOPPLER WEATHER RADARS AT
WASHINGTON REAGAN NATIONAL AIRPORT AND JOINT BASE ANDREWS...ALONG
WITH NATIONAL WEATHER SERVICE KLMX WSR-88D RADAR IN STERLING VA.
THE TORNADO IS ESTIMATED TO HAVE TOUCHED DOWN AT 12:23 PM...WHERE
THERE WAS A TREE DOWN NEAR THE INTERSECTION OF HUNT ROAD AND BELLE
HAVEN ROAD. THE TORNADO CONTINUED NORTH ACROSS THE BELLE HAVEN
COUNTRY CLUB WHERE MORE LARGE TREE LIMBS WERE SHAPED. THE TORNADO
LIKELY LIFTED ACROSS INTERSTATE 495 WHERE IT CROSSED OVER THE
GEORGE WASHINGTON PARKWAY...WHERE LARGE TREE BRANCHES WERE DOWNED.
SEVERAL MORE LARGE TREE BRANCHES WERE SHAPED IN THE ADJACENT
NEIGHBORHOOD TO THE NORTH BEFORE THE RADAR COUPLER SIGNATURE
WEAKENED AFTER 12:26 PM.

...TORNADO CONFIRMED NEAR SAVAGE IN EASTERN HOWARD COUNTY
MARYLAND...

LOCATION...SAVAGE IN EASTERN HOWARD COUNTY MARYLAND

DATE...OCTOBER 15 2014
ESTIMATED TIME...1:13 PM TO 1:14 PM EDT
MAXIMUM EF-SCALE RATING...EF-0
ESTIMATED MAXIMUM WIND SPEED...55-65 MPH
MAXIMUM PATH WIDTH...75 YARDS
PATH LENGTH...APPROXIMATELY 0.4 MILES
BEGINNING LAT/LON...39.128N/76.829W
ENDING LAT/LON...39.132N/76.827W
• FATALITIES...NONE
• INJURIES...NONE

• THE INFORMATION IN THIS STATEMENT IS PRELIMINARY AND SUBJECT TO
CHANGE PENDING FINAL REVIEW OF THE EVENT(S) AND PUBLICATION IN
NWS STORM DATA.

...SUMMARY...
THE NATIONAL WEATHER SERVICE IN BALTIMORE MD/WASHINGTON DC HAS
CONFIRMED A TORNADO NEAR SAVAGE IN EASTERN HOWARD COUNTY MARYLAND
ON OCTOBER 15 2014.

AFTER A REVIEW OF RADAR OBSERVATIONS...911-CENTER AND BROADCAST
MEDIA REPORTS RELAYING GROUND OBSERVATIONS...AND NWS STORM SURVEY
RESULTS...THE NATIONAL WEATHER SERVICE IN BALTIMORE MD/WASHINGTON
DC HAS CONFIRMED AN EF-0 TORNADO TOUCHED DOWN NEAR SAVAGE IN
HOWARD COUNTY MARYLAND DURING THE AFTERNOON OF WEDNESDAY OCTOBER
15 2014.

For information on when to report last-minute contributions received as part of a joint fundraising transfer, see Appendix C, Section 13.

Special Elections

Filing dates for special elections are published on the FEC's website, in the FEC Record and in the Federal Register. The Commission also notifies the principal campaign committees of candidates who are on the ballot in a special election.

If a regularly scheduled report is due within 10 days of the date a special election report is due, the Commission may waive the regular report. 104.5(h).

Meeting the Filing Deadline

By Registered Mail, Certified Mail, Priority Mail with Delivery Confirmation, Express Mail with Delivery Confirmation or Overnight Delivery

If a statement or report is sent by registered mail, certified mail or overnight mail with an online tracking system,⁴ it is considered filed on the date of the U.S. postmark. (Note the special rule for pre-election reports, above.) 100.19. The committee should retain evidence that it delivered the report to the U.S. Postal Service or the overnight delivery service, in the event of a delivery failure.

By First Class Mail

If a statement or report is sent by first class mail, it is considered filed on the date it is received by the Secretary of the Senate or the Federal Election Commission. 100.19(b)(2) and 104.5(e). The risk of timely delivery is on the filer.

By Electronic Filing

An electronic report is considered "filed" when it is received and validated by the Commission's computer system on or before 11:59 p.m. (Eastern Time) on the filing date. Incomplete or inaccurate reports that do not pass the FEC's validation program will not be considered filed. The Commission will notify the filer that the report has not been accepted. 100.19(c) and 104.18(e)(2).

⁴ Overnight mail is often used to refer to priority mail having a delivery confirmation, express mail having a delivery confirmation, or an overnight delivery service with an online tracking system.

By CD

While most electronic filers find it more convenient to file through the Internet, the Commission also accepts properly-formatted electronic reports on CDs either hand delivered or sent by other delivery means, such as the U.S. Postal Service. It is important to note that all mail sent to the FEC through the U.S. Postal Service undergoes special processing which might damage the information on a CD. For specific instructions on how to file electronically using a CD, see the Electronic Filing section of the FEC website at <http://go.usa.gov/8hUA>.

Mandatory Electronic Filing

Some committees must file electronically (See Section 5, "Electronic Filing"). If a committee required to file electronically files a paper report instead of an electronic report, the report will be considered not filed. The committee may be subject to the Commission's enforcement process for nonfilers and may have its name published as a nonfiler. See 104.18(a)(2).

4. ADMINISTRATIVE FINES FOR LATE FILERS AND NONFILERS

The Administrative Fines Program, which is based on amendments to the *Federal Election Campaign Act*,⁵ assesses civil money penalties for violations involving:

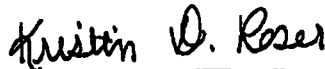
- Failure to file reports on time;
- Failure to file reports at all;
- Failure to file 48-hour notices.

If the Commission finds "reason to believe" (RTB) that a committee violated the law, the Commission will notify the committee in writing of its finding and the amount of the civil money penalty. 111.32. The committee will have 40 days to either pay the civil money penalty or submit a written challenge to the Commission action. If the committee challenges the finding, it will be reviewed by an independent reviewing officer who was not involved in the RTB finding. After the Commission considers the re-

⁵ Pub. L. No. 106-58, 106th Cong., § 640, 113 Stat. 430, 476-77 (1999); Commission authority extended in Pub. L. No. 106-67, 107th Cong., § 642, 115 Stat. 514, 555 (2001); in Pub. L. No. 108-199, 108th Cong., § 639, 118 Stat. 3 (2004); in Pub. L. No. 109-115, § 721, 119 Stat. 2396, 2493-2494 (2006); and in Pub. L. No. 113-72, § 721, 119 Stat. 2396, 2493-2494 (2013).

DECLARATION OF KRISTIN D. ROSER

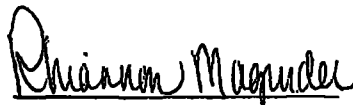
1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that document identified herein is a true and accurate copy of the following sent by the Commission to Sarvis for Senate:
 - A) Reason-to-Believe Letter, dated December 12, 2014 referencing the 2014 October Quarterly Report (sent via overnight mail to the address of record).
3. I hereby certify that I have searched the Commission's public records and find that Sarvis for Senate filed the 2014 October Quarterly Report with the Commission on October 22, 2014.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 3rd day of February, 2015.



Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The principal campaign committee of a candidate must file a report for the quarter ending September 30 no later than October 15. If the report is sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system, and scheduled for next business day delivery, it must be postmarked, or deposited with the mailing service on the filing deadline. Reports sent by first class mail must be received by the close of business on the filing date to be timely filed. All reports required to be filed by the principal campaign committee of a candidate for the office of U.S. Senator shall be filed with the Secretary of the Senate.
- 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 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 the documents identified herein are the true and accurate copies of:
 - a) Report Cover Page, Summary Page, Detailed Summary Pages, Envelope, and Envelope Replacement Page for the 2014 October Quarterly Report filed by Sarvis for Senate and Josef Storm, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from July 1 through September 30, 2014 and was received on October 22, 2014.
- 5) 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, D.C. on the 4th day of March, 2015.



Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 4, 2015

Josef Storm, Treasurer
Sarvis for Senate
P.O. Box 224
Annandale, VA 22003

C00561712
AF#: 2871

Dear Mr. Storm:

On December 11, 2014, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Sarvis for Senate and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2014 October Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$522 based on the schedule of penalties at 11 C.F.R. § 111.43.

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

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 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 response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

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

Sincerely,

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

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2015 MAR 31 AM 11:28

March 31, 2015

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *ewh/fo*
Staff Director

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

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2871 – Sarvis for Senate and Josef Storm, in his official capacity as Treasurer (C00561712)

On December 11, 2014, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) (formerly 2.U.S.C. § 434(a)) for failing to timely file the 2014 October Quarterly Report and made a preliminary determination that the civil money penalty was \$522 based on the schedule of penalties at 11 C.F.R. § 111.43.

On January 26, 2015, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated March 4, 2015 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. 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.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 2871 that Sarvis for Senate and Josef Storm, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 2871 that Sarvis for Senate and Josef Storm, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$522 civil money penalty; and
3. Send the appropriate letter.

UNCLASSIFIED

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 2871
Sarvis for Senate and Josef Storm, in his)
official capacity as Treasurer)
(C00561712))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 13, 2015, the Commission decided by a vote of 6-0 to take the following actions in AF 2871:

1. Adopt the Reviewing Officer recommendation for AF# 2871 that Sarvis for Senate and Josef Storm, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2871 that Sarvis for Senate and Josef Storm, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$522 civil money penalty.
3. Send the appropriate letter.

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

Attest:

April 13, 2015
Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 14, 2015

Josef Storm, Treasurer
Sarvis for Senate
P.O. Box 224
Annandale, VA 22003

C00561712
AF#: 2871

Dear Mr. Storm:

On December 11, 2014, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Sarvis for Senate and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to file the 2014 October Quarterly Report. By letter dated December 12, 2014, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$522 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On January 26, 2015, 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 your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Sarvis for Senate and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a civil money penalty in the amount of \$522 in accordance with 11 C.F.R. § 111.43. A copy of the Reviewing Officer Recommendation was sent to you on March 4, 2015.

On April 13, 2015, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Sarvis for Senate and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assessed a civil money penalty in the amount of \$522. A copy of the Final Determination Recommendation is attached.

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 U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii) (formerly 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 52 U.S.C. § 30109 (formerly 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.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. 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 52 U.S.C. § 30109(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

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,

A handwritten signature in black ink, appearing to read "Ann M. Ravel". The signature is fluid and cursive, with the first name "Ann" and last name "Ravel" clearly distinguishable.

Ann M. Ravel
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$522 for the 2014 October Quarterly Report.

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

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

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

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

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

PAYMENTS BY PERSONAL CHECK

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Sarvis for Senate

FEC ID#: C00561712

AF#: 2871

PAYMENT AMOUNT DUE: \$522

FOR: Sarvis for Senate

FEC ID#: C00561712

AF#: 2871

PAYMENT DUE DATE: January 20, 2015

PAYMENT AMOUNT DUE: \$522

FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058 Ledger Date 01/23/2015

usbank.

St. Louis GA Lockbox
(314) 425-1818



Y-3078946

\$3,012.00

Amount
\$522.00



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2871

DATE SCANNED 8/7/15

SCANNER NO. 2

SCAN OPERATOR TB