



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 300

DATE SCANNED

11/16/15

SCANNER NO.

2

SCAN OPERATOR

Jh

11/16/15 11:00 AM



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 2015

SENSITIVE

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AMP*
Staff Director

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

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

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

SUBJECT: Reason To Believe Recommendation – 2015 April Quarterly Report for the
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2015 April Quarterly Report in accordance with 52 U.S.C. § 30104(a). The 2015 April Quarterly Report was due on April 15, 2015.

The committees listed in the attached RTB Circulation Report failed to file the 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 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 52 U.S.C. § 30104(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.

Federal Election Commission
Reason to Believe Circulation Report
2015 APRIL QUARTERLY Not Election Sensitive 04/15/2015 H_S_P

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3007	C00560268	FRIENDS OF EDWIN W EDWARDS	EDWARDS, EDWIN WASHINGTON	RACHELLE MARKS	\$108,270	0		Not Filed	\$108,270 (est)	\$4,950
3010	C00546135	TREADWELL ALASKA INC	TREADWELL, MEAD	CHERYL FRASCA	\$259,079	0		Not Filed	\$259,079 (est)	\$9,800

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2015)
April Quarterly Report for the)
Administrative Fine Program:)

FRIENDS OF EDWIN W EDWARDS, and) AF# 3007
RACHELLE MARKS as treasurer;)

TREADWELL ALASKA INC, and) AF# 3010
CHERYL FRASCA as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 10, 2015 the Commission took the following actions on the Reason To Believe Recommendation - 2015 April Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated June 08, 2015, on the following committees:

AF#3007 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF EDWIN W EDWARDS, and RACHELLE MARKS as treasurer violated 52 U.S.C. 30104(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#3010 Decided by a vote of 6-0 to: (1) find reason to believe that TREADWELL ALASKA INC, and CHERYL FRASCA as treasurer violated 52 U.S.C. 30104(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:

June 11, 2015
Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 11, 2015

Cheryl Frasca, in official capacity as Treasurer
Treadwell Alaska, Inc.
P.O. Box 200125
Anchorage, AK 99520

C00546135
AF#: 3010

Dear Ms. Frasca:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period January 1, 2015 through March 31, 2015, shall be filed no later than April 15, 2015. 52 U.S.C. § 30104(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 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On June 10, 2015, the FEC found that there is reason to believe ("RTB") that Treadwell Alaska, Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before April 15, 2015. 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 \$9,800. 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 \$9,800 is due within forty (40) days of the finding, or by July 20, 2015, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$259,079
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 to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1

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

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated 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 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). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

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,



Ann M. Ravel
Chair

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 \$9,800 for the 2015 April 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 July 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: Treadwell Alaska, Inc.

FEC ID#: C00546135

AF#: 3010

PAYMENT DUE DATE: July 20, 2015

PAYMENT AMOUNT DUE: \$9,800

LAW OFFICES OF
HOLMES WEDDLE & BARCOTT
A PROFESSIONAL CORPORATION

701 WEST EIGHTH AVENUE, SUITE 700 · ANCHORAGE, ALASKA 99501-3408
TELEPHONE (907) 274-0666 · FAX (907) 277-4657

**FEC OFFICE OF
ADMIN REVIEW**

TIMOTHY A. MCKEEVER
EMAIL: tmckeever@hwb-law.com

July 17, 2015

VIA US MAIL (OVERNIGHT DELIVERY)

Office of Administrative Review
Federal Election Commission
999 E Street NW
Washington DC 20463

RE: Treadwell Alaska Inc. RTB Finding Challenge
C00546135
AF# 3010
Our File No. 5924-27269

Dear Sir or Madam,

Our firm represents the Treadwell Alaska Inc., the principal campaign committee for Mead Treadwell's 2014 US Senate campaign in the above matter.

Our client challenges the calculation of the civil money penalty discussed in the June 11, 2015 letter from Chair Ravel. The challenge is based on a miscalculation of the calculated penalty. It is supported by this letter and the attached affidavit.

By way of background, Mr. Treadwell was a candidate for his party's nomination to run for the US Senate from Alaska. His campaign was unsuccessful. He did not prevail in the primary election held on August 19, 2014. Since the results of the primary became known, the Treadwell Alaska campaign has been winding up its affairs including refunding donations received prior to the primary which were designated for the general election, obtaining refunds from vendors, and the like. As part of that process, the campaign staff was laid off months ago and there was a misunderstanding as to what the campaign was required to do. While we understand that this is not, under the commission regulations, sufficient to waive the penalty, this in part explains the delay in preparing and filing the report. The committee is finalizing and will be filing a report for this period in a very few days. In addition the committee anticipates it will file a termination report within the next few weeks as soon as a final refund check it has issued is cashed by the recipient.

Obviously since this report was for the first quarter of the first full year of an election cycle in which the candidate is not seeking election, this is not an "Election Sensitive" report as stated in the June 11 letter.

The assessed penalty also is based on an incorrect determination of the level of campaign activity. During the period for which the civil money penalty was assessed, the campaign received no contributions except a single donation from the candidate (of \$3,000.00) to be used to pay debts. (See attached affidavit of Timothy McKeever at ¶ 3). It received offsets or refunds totaling \$4,775.12. So its total receipts were \$7,775.12. The committee's operating expenses totaled \$295.85. It had no other expenditures. *Id* at ¶ 4. Thus total expenses were \$295.85. The report will show these totals when it is filed.

The campaign has, as the June 11 letter finds, had no prior civil money penalty assessments.

Based on the penalty calculator on the FEC website, these numbers reflecting actual campaign activity during the reporting period would result in a penalty of \$330.00, not the penalty assessment of \$9,800.00 as stated in Chair Ravel's letter.

We request the amount of the penalty be reduced to the proper amount based on actual campaign activity during the period.

Also, please note that in a recent filing the committee has changed its mailing address. Mail for the committee should now be sent to 528 N Street, Anchorage, AK 99501. You may correspond with me concerning this AF administrative fine matter.

Sincerely,



Timothy A. McKeever

**Office of Administrative Review
Federal Election Commission**

In Re: Treadwell Alaska Inc.)
C00546135)
)

AF # 3010

Affidavit of Timothy McKeever

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

Timothy A. McKeever, being first duly sworn does state as follows:

- 1) I am an attorney licensed to practice law in the states of Alaska and Washington. I represent Treadwell Alaska Inc., the respondent in this matter ("the committee"). I make this affidavit based on my personal knowledge.
- 2) I have reviewed copies of bank statements and other records of the committee concerning the campaign activity for the period from January 1, 2015 to March 31, 2015.
- 3) Based on my review of the above records, during the first quarter of 2015, the committee received a single contribution of \$3,000.00 from the candidate and received four refunds or offsets from vendors which totaled \$4,775.12. Its receipts during the period totaled \$7,775.12.
- 4) Based on the same review, during the first quarter of 2015 the committee had operating expenditures of \$295.85 and no other expenditures.
- 5) Applying the above stated campaign activity, the fact that this was not an 'election sensitive' report, that the committee had no prior violations and that the report was filed

more than 30 days late to the 'fine calculator' on the FEC.Gov website, I determined the proper amount of the administrative civil money penalty should be \$330.00.

- 6) The committee expects to file the report for the above period within the next very few days. I am unable to attach the completed, signed report to this pleading because I am presently in a different city from the treasurer and where the report is being prepared and the required objection must be filed no later than July 20, 2015.

Dated this 17th day of July, 2015



Timothy A. McKeever

SUBSCRIBED AND SWORN TO before me this 17th day of July, 2015.





Print Name: ALEGRIA S. FORMAN
NOTARY PUBLIC in and for the State of
Washington, Residing at King County.
Commission Expires: 3/29/19



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 28, 2015

Cheryl Frasca, Treasurer
Treadwell Alaska Inc.
P.O. Box 200125
Anchorage, AK 99520

C00422519
AF#: 3010

Dear Ms. Frasca:

On July 21, 2015, the Commission's Office of Administrative Review ("OAR") received a written response ("challenge") for Treadwell Alaska Inc. and you, in your official capacity as Treasurer, which is being reviewed by OAR. The challenge was submitted by Mr. Timothy A. McKeever. Please note, you, as Treasurer, must submit a Designation of Counsel form to be represented by counsel. A Designation of Counsel form is attached for your convenience. 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 black ink that reads "Rhannon Magruder". The signature is written in a cursive, flowing style.

Rhannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

2015 SEP -9 PM 3:07

SENSITIVE

September 9, 2015

MEMORANDUM

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# 3010 – Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer (C00546135)

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

September 9, 2015

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

AF# 3010 – Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer
(C00546135)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$330 civil money penalty.

Reason-to-Believe Background

The 2015 April Quarterly Report was due on April 15, 2015. The respondents filed the report on August 12, 2015, 119 days late. The report is not election sensitive and was not filed within 30 days of the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On June 10, 2015, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2015 April Quarterly Report and made a preliminary determination that the civil money penalty was \$9,800 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 June 11, 2015 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 March 31 no later than April 15. 52 U.S.C. § 30104(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) and 11 C.F.R. § 105.2. The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On July 21, 2015, the Commission received the written response ("challenge") from the respondents' designated Counsel. Counsel explains that the Committee began winding down after the Candidate lost in Alaska's Primary Election held in August 2014. Counsel further explains:

"As part of that process, the campaign staff was laid off months ago and there was a misunderstanding as to what the campaign was required to do. While we understand that this is not, under the [C]ommission regulations, sufficient to waive the penalty, this in part explains the delay in preparing and filing the report."

Counsel then states that the civil money penalty assessed at RTB was calculated using an incorrect level of activity and requests that the fine be reduced to the proper amount. Counsel explains that the Committee will be filing the 2015 April Quarterly Report to disclose \$7,775.12 in total receipts and \$295.85 in total expenses. Therefore, the penalty should be reduced to \$330.

Analysis

The respondents acknowledge that the absence of Committee staff and misunderstanding of the reporting requirements are not sufficient reasons to waive the civil money penalty. However, they do request that the civil money penalty be recalculated based on the actual level of activity of the 2015 April Quarterly Report.

At the time of the RTB finding, the Commission used an estimated level of activity (\$259,079) to calculate the fine because the 2015 April Quarterly Report had not yet been filed. 11 C.F.R. § 111.43(d)(2)(i). The Committee filed the report on August 12, 2015, 119 days late. As contended in the challenge, the report discloses \$7,775.12 in total receipts. The challenge contends the report would disclose \$295.85 in total expenses; however, the report actually discloses \$758.35 in total disbursements. Therefore, the actual level of activity of the 2015 April Quarterly Report is \$8,533. Using the schedule of penalties at 11 C.F.R. § 111.43(a), for respondents with no previous violations, and the level of activity bracket of \$5,000 - \$9,999.99, the civil money penalty is $\$330 \times [1 + (.25 \times 0 \text{ previous penalties})]$ or \$330.

The Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$330 civil money penalty, reduced from the RTB civil money penalty of \$9,800.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3010 involving Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3010 that Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$330 civil money penalty (reduced from the RTB civil money penalty of \$9,800); and
3. Send the appropriate letter.

Attachments

Attachment 1 –
Attachment 2 – Declaration from RAD
Attachment 3 – Declaration from OAR

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 documents identified herein are true and accurate copies of the following sent by the Commission to Treadwell Alaska, Inc.:
 - A) Non-Filer Letter, dated April 30, 2015, referencing the 2015 April Quarterly Report (sent via electronic mail to: smkendall@hwb-law.com);
 - B) Reason-to-Believe Letter, dated June 11, 2015 referencing the 2015 April 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 Treadwell Alaska, Inc. has not yet filed the 2015 April Quarterly 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 telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 29th day of July, 2015.



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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

April 30, 2015

CHERYL FRASCA, TREASURER
TREADWELL ALASKA INC
PO BOX 200125
ANCHORAGE, AK 99520

IDENTIFICATION NUMBER: C00546135

REFERENCE: APRIL QUARTERLY REPORT (01/01/2015 - 03/31/2015)

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. 52 U.S.C. §30104(a)

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.

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.

TREADWELL ALASKA INC

Page 2 of 2

If you have any questions regarding this matter, please contact Sari Pickerall at our toll-free number (800)424-9530. The analyst's direct number is (202)694-1129.

Sincerely,

Debbie Chacona

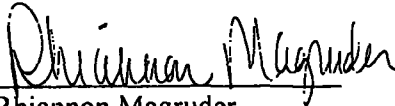
Deborah Chacona
Assistant Staff Director
Reports Analysis Division

250

11000100001

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 Fines Program.
- 2) The principal campaign committee of a candidate must file a report for the quarter ending March 31 no later than April 15. 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 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 the documents identified herein are the true and accurate copies of:
 - a) Cover Page, Summary Page, and Detailed Summary Pages of the 2015 April Quarterly Report filed by Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer. According to the Commission's records, the document was received on August 12, 2015 and covers the period of January 1 through March 31, 2015.
- 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 9th day of September, 2015.


Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

SUMMARY PAGE

FEC Form 3 (Revised 02/2003)

of Receipts and Disbursements

Page 2

Write or Type Committee Name

TREADWELL ALASKA INC

Report Covering the Period: From: 0 1 0 1 2 0 1 5 To: 0 3 3 1 2 0 1 5

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e)) ..	3,000.00	3,000.00
(b) Total Contribution Refunds (from Line 20(d)) ..	,	
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a))...	, 3,000.00	3,000.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17) ..	,758.35	1,035.35
(b) Total Offsets to Operating Expenditures (from Line 14)...	4,775.12	4,775.12
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)) ...	, -4,016.77	- 3,739.77
8. Cash on Hand at Close of Reporting Period (from Line 27)...	5,277.50	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) ..		
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) ..	, 260,056.37	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE

FEC Form 3 (Revised 12/2003)

of Receipts

Page 3

Write or Type Committee Name

TRENDWELL ALASKA INC.

Report Covering the Period: From: 0 1 0 1 2 0 1 5 To: 0 3 3 1 2 0 1 5

I. RECEIPTS

COLUMN A
Total This Period

COLUMN B
Election Cycle-to-Date

11. CONTRIBUTIONS (other than loans) FROM:

- (a) Individuals/Persons Other Than
Political Committees
(i) Itemized (use Schedule A)..

- (ii) Unitemized
- (iii) TOTAL of contributions
from individuals .

- (b) Political Party Committees...
- (c) Other Political Committees
(such as PACs) ..

- (d) The Candidate

- (e) TOTAL CONTRIBUTIONS
(other than loans)
(add Lines 11(a)(iii), (b), (c), and (d))..

3,000.00

3,000.00

3,000.00

3,000.00

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES ..

13. LOANS:

- (a) Made or Guaranteed by the
Candidate...

- (b) All Other Loans...

- (c) TOTAL LOANS
(add Lines 13(a) and (b))...

14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.) ..

4,775.12

4,775.12

15. OTHER RECEIPTS (Dividends, Interest, etc.)

0.00

.24

16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)...

7,775.12

7,775.36

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 02/2003)

Page 4

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES...	758.35	1,035.35
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES ..	,	,
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate...	,	,
(b) Of All Other Loans		
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b))...		,
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees ..		,
(b) Political Party Committees...	,	,
(c) Other Political Committees (such as PACs) ..	,	,
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c))...		
21. OTHER DISBURSEMENTS	,	
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	758.35	1,035.35

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD...	- 1,739.27
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3)...	7,775.12
25. SUBTOTAL (add Line 23 and Line 24) ..	6,035.85
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)...	758.35
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25)...	5,277.50



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 9, 2015

Timothy A. McKeever
Treadwell Alaska Inc.
528 N. Street
Anchorage, AK 99501

C00546135
AF#: 3010

Dear Mr. McKeever:

On June 10, 2015, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to file the 2015 April Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$9,800 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you 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 dark ink, appearing to read "Rhiannon Magruder".

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2015 OCT -6 PM 12:42

October 6, 2015

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *swt/fm*
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# 3010 – Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer (C00546135)

On June 10, 2015, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2015 April Quarterly Report and made a preliminary determination that the civil money penalty was \$9,800 based on the schedule of penalties at 11 C.F.R. § 111.43.

On July 21, 2015, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated September 9, 2015 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 the respondents violated 52 U.S.C. § 30104(a) and assess a \$330 civil money penalty, reduced from the RTB civil money penalty of \$9,800.

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). On October 1, 2015, the respondents informed the Reviewing Officer of their intent to pay the recommended civil money penalty of \$330.

MEMORANDUM

- # MEMORANDUM

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation -) AF 3010
Treadwell Alaska Inc. and Cheryl Frasca,)
in her official capacity as Treasurer)
(C00546135))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on October 15, 2015, the Commission decided by a vote of 6-0 to take the following actions in AF 3010:

1. Adopt the Reviewing Officer recommendation for AF# 3010 involving Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3010 that Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$330 civil money penalty (reduced from the RTB civil money penalty of \$9,800).
3. Send the appropriate letter.

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

Attest:

October 15, 2015
Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 21, 2015

Timothy A. McKeever
Treadwell Alaska Inc.
528 N. Street
Anchorage, AK 99501

C00546135
AF#: 3010

Dear Mr. McKeever:

On June 10, 2015, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2015 April Quarterly Report. By letter dated June 11, 2015, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$9,800 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On July 21, 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 reduce the RTB civil money penalty because it was calculated using an estimated level of activity, make a final determination that Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and based on the actual level of activity disclosed on the 2015 April Quarterly Report filed August 12, 2015 (\$8,533), assess a civil money penalty in the amount of \$330 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 September 9, 2015.

On October 15, 2015, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Treadwell Alaska Inc. and Cheryl Frasca, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and based on the level of activity disclosed on the 2015 April Quarterly Report (\$8,533), assessed a civil money penalty in the amount of \$330 (reduced from the RTB civil money penalty of \$9,800). 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 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). 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. 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) 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,



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 \$330 for the 2015 April 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: Treadwell Alaska Inc.

FEC ID#: C00546135

AF#: 3010

PAYMENT AMOUNT DUE: \$330



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # B000

DATE SCANNED 11/18/15

SCANNER NO. 2

SCAN OPERATOR Oh

11-000000-4-17