



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1915

DATE SCANNED 10/8/09

SCANNER NO. 2

SCAN OPERATOR EES

29092642328



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

December 16, 2008

**MEMORANDUM**

TO: THE COMMISSION

THROUGH: JOSEPH F. STOLTZ *JFS*  
ACTING STAFF DIRECTOR

FROM: JOHN D. GIBSON *JDG*  
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: *WUC* NATALIYA IOFFE/RHIANNON MAGRUDER/CHRIS RITCHEE *RM*  
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION -- 2008 OCTOBER  
QUARTERLY REPORT (NON-ELECTION SENSITIVE) FOR THE  
ADMINISTRATIVE FINE PROGRAM

2008 DEC 16 2:02 PM

RE: [unclear]  
St. [unclear]

Attached is a list of political committees and their treasurers who failed to file the 2008 October Quarterly Report in accordance with 2 U.S.C. 434(a). The October Quarterly Report was due on October 15, 2008.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days after the due date, or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 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 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission  
Reason to Believe Circulation Report  
2008 OCTOBER QUARTERLY Not Election Sensitive 10/15/2008 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
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1912	C00436790	BOB OLSON FOR U S SENATE	OLSON, ROBERT A.	LEE CONNERTON	\$158,365	0		Not Filed	\$31,273 (est)	\$900
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1914	C00415422	DELECIA HOLT FOR CONGRESS COMMITTEE	HOLT, DELECIA ANIN	WHITNEY HARRIS	\$370,187	0		Not Filed	\$61,688 (est)	\$2,700
1915	C00451864	DR SANDRA B LIVINGSTONE FOR CONGRESS	LIVINGSTONE, SANDRA B. DR.	ELEANOR L. BUNN	\$264,544	0		Not Filed	\$132,272 (est)	\$4,500
1916	C00433813	EILEEN DONOGHUE FOR CONGRESS COMMITTEE	DONOGHUE, EILEEN	TIMOTHY J. SULLIVAN	\$1,860,423	0		Not Filed	\$240,060 (est)	\$5,500
1917	C00448423	GREG SOWARDS FOR CONGRESS LLC	SOWARDS, GREGORY EDDIE	KIMBALL HAKES	\$628,017	0		Not Filed	\$209,339 (est)	\$6,500
1918	C00445775	JOE PENNACCHIO FOR U S SENATE	PENNACCHIO, JOSEPH	ALAN ZAKIN	\$853,114	0	10/23/2008	8	\$19,315	\$140
1919	C00437863	KEVIN POWELL FOR CONGRESS	POWELL, KEVIN	TYRA WASHINGTON	\$142,419	1		Not Filed	\$35,606 (est)	\$1,125
1920	C00444844	KOPLIN FOR CONGRESS	KOPLIN, ANDREW DAVID	RALPH J. STEPHENS	\$682,097	1	10/30/2008	15	\$8	\$125
1921	C00444406	OGONOWSKI FOR SENATE	OGONOWSKI, JAMES	KATHLEON HAAS OGONOWSKI	\$1,108,035	0	11/13/2008	29	\$3,913	\$170

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12/16/2008 10:28 AM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1922	C00443558	SABRIN FOR SENATE	SABRIN, MURRAY	CHRISTOPHER R. WHALEN, CPA	\$1,315,150	0	11/19/2008	Not Filed	\$12,887	\$500
1923	C00443465	SEAN O'KANE FOR US CONGRESS COMMITTEE	O'KANE, SEAN THOMAS	WILLIAM J. SAMMON	\$231,618	1		Not Filed	\$1,000	\$312
1924	C00414821	STEVE RATHJE FOR US SENATE	RATHJE, STEVE	KENNETH R. KOLEK	\$210,598	0		Not Filed	\$30,085 (est)	\$900

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2008 )  
October Quarterly Report (Non-Election )  
Sensitive) for The Administrative Fine )  
Program: )  
OGONOWSKI FOR SENATE, and ) AF# 1921  
KATHLEON IIAAS OGONOWSKI as )  
treasurer; )  
KOPPLIN FOR CONGRESS, and RALPH ) AF# 1920  
J STEPHENS as treasurer; )  
JOE PENNACCHIO FOR U S SENATE, ) AF# 1918  
and ALAN ZAKIN as treasurer; )

BOB OLSON FOR U S SENATE, and LEE ) AF# 1912  
CONNERTON as treasurer: )

DELECIA HOLT FOR CONGRESS ) AF# 1914  
COMMITTEE, and WIITTNEY HARRIS )  
as treasurer; )  
DR SANDRA B LIVINGSTONE FOR ) AF# 1915  
CONGRESS, and ELEANOR L BUNN as )  
treasurer; )  
EILEEN DONOGHUE FOR CONGRESS ) AF# 1916  
COMMITTEE, and TIMOTHY J )  
SULLIVAN as treasurer; )  
GREG SOWARDS FOR CONGRESS ) AF# 1917  
LLC, and KIMBALL HAKES as treasurer; )  
KEVIN POWELL FOR CONGRESS, and ) AF# 1919  
TYRA WASHINGTON as treasurer; )  
SABRIN FOR SENATE, and ) AF# 1922  
CHRISTOPHER R WHALEN CPA as )  
treasurer; )

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SEAN O'KANE FOR US CONGRESS ) AF# 1923  
COMMITTEE, and WILLIAM J )  
SAMMON as treasurer; )  
STEVE RATHJE FOR US SENATE, and ) AF# 1924  
KENNETH R KOLEK as treasurer; )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on December 18, 2008 the Commission took the following actions on the Reason To Believe Recommendation - 2008 October Quarterly Report (Non-Election Sensitive) for The Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 16, 2008, on the following committees:

AF#1921 Decided by a vote of 6-0 to: (1) find reason to believe that OGONOWSKI FOR SENATE, and KATHLEON HAAS OGONOWSKI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1920 Decided by a vote of 6-0 to: (1) find reason to believe that KOPPLIN FOR CONGRESS, and RALPH J STEPHENS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1918 Decided by a vote of 6-0 to: (1) find reason to believe that JOE PENNACCHIO FOR U S SENATE, and ALAN ZAKIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#1912 Decided by a vote of 6-0 to: (1) find reason to believe that BOB OLSON FOR U S SENATE, and LEE CONNERTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1914 Decided by a vote of 6-0 to: (1) find reason to believe that DELECIA HOLT FOR CONGRESS COMMITTEE, and WHITTNEY HARRIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1915 Decided by a vote of 6-0 to: (1) find reason to believe that DR SANDRA B LIVINGSTONE FOR CONGRESS, and ELEANOR L BUNN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1916 Decided by a vote of 6-0 to: (1) find reason to believe that EILEEN DONOGHUE FOR CONGRESS COMMITTEE, and TIMOTHY J SULLIVAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1917 Decided by a vote of 6-0 to: (1) find reason to believe that GREG SOWARDS FOR CONGRESS LLC, and KIMBALL HAKES as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#1919 Decided by a vote of 6-0 to: (1) find reason to believe that KEVIN POWELL FOR CONGRESS, and TYRA WASHINGTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1922 Decided by a vote of 6-0 to: (1) find reason to believe that SABRIN FOR SENATE, and CHRISTOPHER R WHALEN CPA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1923 Decided by a vote of 6-0 to: (1) find reason to believe that SEAN O'KANE FOR US CONGRESS COMMITTEE, and WILLIAM J SAMMON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1924 Decided by a vote of 6-0 to: (1) find reason to believe that STEVE RATHJE FOR US SENATE, and KENNETH R KOLEK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

December 23, 2008  
Date

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

2909264235



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 22, 2008

Eleanor L. Bunn  
Dr. Sandra B. Livingstone for Congress  
P.O. Box 787  
Prescott, AZ 86302

C00451864  
AF#: 1915

Dear Eleanor L. Bunn:

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 through September 30th, shall be filed no later than October 15th. 2 U.S.C. 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 12/18/2008, the FEC found that there is reason to believe ("RTB") that Dr. Sandra B. Livingstone for Congress and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before October 15th. Based on the FEC's schedules of civil money penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at the RTB stage is \$4,500. It is due by 1/27/2009 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$132,272  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

**To Pay the Calculated Civil Money Penalty**

To pay the calculated civil money penalty, send the enclosed remittance and 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.

**To Challenge the RTB Finding and/or Calculated Civil Money Penalty**

To challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found on page one, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received by

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1/27/2009. Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty. The FEC will only consider challenges that are based on a factual error in the RTB finding; miscalculation of the calculated civil money penalty by the FEC; or your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 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. Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, a failure of Commission computers or Commission-provided software despite you seeking technical assistance from Commission personnel and resources; a widespread disruption of information transmissions over the Internet that is not caused by the Commission's or your computer systems or Internet service provider; and severe weather or other disaster-related incident. **Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, negligence; delays caused by vendors or contractors; treasurer and staff illness, inexperience or unavailability; committee computer, software, or internet service provider failures; failure to know filing dates; and failure to use filing software properly.** Your response must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. 111.35.

Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of your right to present such argument in a petition to the district court under 2 U.S.C. 437g. 11 C.F.R. 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

#### **If You Do Not Pay the Calculated Civil Money Penalty or Submit a Challenge**

If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Dr. Sandra B. Livingstone for Congress and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. 111.45.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on

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the public record in accordance with 11 C.F.R. 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

Additional information on the FEC's administrative fine program, including the final regulations, is located at the FEC's website at [www.FEC.gov](http://www.FEC.gov). If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiannon Magruder in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "D. McGahn II", written in a cursive style.

Donald F. McGahn II  
Chairman

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at RTB is \$4,500 for the 2008 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 1/27/2009. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

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

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Dr. Sandra B. Livingstone for Congress

FEC ID#: C00451864

AF#: 1915

PAYMENT DUE DATE: 1/27/2009

PAYMENT AMOUNT DUE: \$4,500

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FEC OFFICE OF  
ADMIN REVIEW

2009 FEB -6 P 2: 38



FEC Office of Administrative Review

999 E St. NW

Washington, DC 20463

26<sup>th</sup> of January 2009

AFFADAVIT

RE: CHALLENGE OF RTB FINDING & CALCULATED CIVIL MONEY PENALTY

AF#1915

1. Your letter of December 22<sup>nd</sup> was received by Eleanor L. Bunn on January 24, 2009, as it was delivered to the wrong address previously.
2. The Committee Dr. Sandra B. Livingstone for Congress wishes to challenge both the RTB Finding and the Calculated civil money penalty for the following reasons:

**(a) There is a factual error in the RTB Finding:**

1. The Committee filed its FEC Termination Report, which included the period covered by the October Quarterly Report, within 30 days of the due date.
2. In fact, the Report was filed on October 22<sup>nd</sup>, 2008 which was within 7 days of the date. This fact was demonstrated to the FEC when the Committee sent copies of its previously filed Termination Report to the FEC in January of this year, containing the October Report (i.e. the Committee's Termination Report).

**(b) The Civil Money Penalty was miscalculated by the FEC,** as the level of activity during this period was not \$132,272 as your letter indicated, but rather \$15,816, based on expenditure of \$12,029 and receipts of \$3,787. Therefore, the correct penalty for this late filing should be \$135.00.

We appreciate your timely consideration of this challenge. Please send all correspondence to:  
Prescott, Arizona 86303.

Very Truly Yours,

David Bunn-Livingstone

A handwritten signature in black ink that reads "David Bunn-Livingstone". The signature is written in a cursive, flowing style and is positioned below the typed name.

Treasurer, Dr. Sandra B. Livingstone for Congress

29092642340



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Via First Class Mail

February 9, 2009

Eleanor L. Bunn, as Treasurer  
Dr. Sandra Livingstone for U.S. Congress  
P.O. Box 787  
Prescott, AZ 86302

C00451864  
AF# 1915

Dear Ms. Bunn:

On February 6, 2009, the Commission received a written response ("challenge") from David Bunn-Livingstone which is being reviewed by the Office of Administrative Review. If you have any questions regarding the challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink that reads "Shawn Woodhead Werth for". The signature is written in a cursive, flowing style.

Shawn Woodhead Werth  
Reviewing Analyst  
Office of Administrative Review

cc: David Bunn-Livingstone

29092642341

Date: February 11, 2009

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

AF#: 1915

Committee Name: Dr. Sandra B. Livingstone for Congress

Committee ID#: C00451864

Committee Address (if different than in RTB letter):

Prescott, AZ 86303

Treasurer Name (if different than in RTB finding): David Richard Spencer Bunn-Livingstone

**Attachments:**

**Copy of RTB Circulation Report, dated December 16, 2008 and RTB Certification, dated December 23, 2008: Previously Forwarded**

**Attachment #: N/A**

**Certified Return Receipt (Y/N): N**

**Attachment #: N/A**

**Other Relevant Telecoms (Y/N): N**

**Attachment #: N/A**

**Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N**

**Attachment #: N/A**

**RAD Staff Declaration (Y/N): Y**

**-Prior Notice, dated September 21, 2008.**

**-Non-Filer Letter, dated November 4, 2008.**

**-RTB Letter, dated December 22, 2008.**

**Attachment #: 2**

**Other RAD Information: (Y/N): Memo to File, Copy of Returned RTB Letter, Re-mail Info**

**Attachment#: 3**

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**DECLARATION OF NATALIYA IOFFE**

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 Dr. Sandra B. Livingstone for Congress:
  - A) Prior Notice, dated September 21, 2008, referencing the 2008 October Quarterly Report (sent via electronic mail to: info@drivingstoneipresume.com);
  - B) Non-Filer Letter, dated November 4, 2008, referencing the 2008 October Quarterly Report;
  - C) Reason-to-Believe Letter, dated December 22, 2008, referencing the 2008 October Quarterly Report.
3. I hereby certify that I have searched the Commission's public records and find that Dr. Sandra B. Livingstone for Congress filed a report to include the coverage dates of the 2008 October Quarterly Report with the Commission on January 10, 2009.
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 11<sup>th</sup> day of February, 2009.



Nataliya Ioffe  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

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# OCTOBER QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

September 21, 2008

## CURRENT REPORT DUE

### REPORTING DATES

REPORT	REPORTING PERIOD <sup>1</sup>	REG. CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
October Quarterly	07/01/08 - 09/30/08	10/15/08	10/15/08

### PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2008 state primary, nominating convention or runoff election – even if unopposed – must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports. Separate notices will be sent to explain these additional reporting obligations. See the January 2008 Record, which can be found on the FEC web site at [www.fec.gov/pdf/record/2008/jan08.pdf](http://www.fec.gov/pdf/record/2008/jan08.pdf)

Supplemental Filing Information is available on pages 3 and 4 of this notice.

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

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## REPORTING SCHEDULE FOR REMAINDER OF 2008

### REPORTING DATES

REPORT	REPORTING PERIOD <sup>1</sup>	REG. CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Pre-General	10/01/08 - 10/15/08	10/20/08	10/23/08
48 Hour Notices	10/16/08 - 11/01/08	---see p. 4 of notice---	
Post-General	10/16/08 - 11/24/08	12/04/08	12/04/08
Year-End	11/25/08 - 12/31/08	01/31/09	01/31/09 <sup>2</sup>

### PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2008 state primary, nominating convention or runoff election – even if unopposed – must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports. Separate notices will be sent to explain these additional reporting obligations. See the January 2008 Record, which can be found on the FEC web site at [www.fec.gov/pdf/record/2008/jan08.pdf](http://www.fec.gov/pdf/record/2008/jan08.pdf).

**Supplemental Filing Information is available on pages 3 and 4 of this notice.**

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

<sup>2</sup>Notice that this filing deadline falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's (or for Senate candidates, the Secretary of the Senate's) close of business on the last business day before the deadline.

## SUPPLEMENTAL FILING INFORMATION

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

### WHO MUST FILE

Principal campaign committees of congressional candidates<sup>3</sup> (including unopposed candidates and candidates whose names do not appear on the ballot) must file an October Quarterly Report by October 15, 2008.<sup>4</sup>

Campaigns that raise or spend more than \$5,000 for the 2008 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2008, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. Before a committee can stop filing with the FEC, it must file a termination report with the Commission. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

### METHODS OF FILING REPORTS

#### Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. For additional information, call the Electronic Filing Office at (800) 424-9530 or (202) 694-1642 or visit our website at [www.fec.gov/elecfil/electron.shtml](http://www.fec.gov/elecfil/electron.shtml).

Under the Commission's mandatory electronic filing regulations, U.S. House committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that have reason to expect to do so, must file all reports and statements with the FEC electronically. Other U.S. House committees may voluntarily file electronically; however, any entity that files electronically, whether required to do so or not, must comply with the electronic filing rules. U.S. Senate committees that file with the Secretary of the Senate are not subject to the mandatory electronic filing rules, but may file an unofficial copy of their reports with the Commission in order to speed disclosure.

#### Registered & Certified Mail

Reports sent by Registered or Certified Mail must be postmarked on or before the mailing deadline to be considered timely filed. A committee sending its reports by Certified Mail should keep its certified mailing receipt with the U.S. Postal Service (USPS) postmark as proof of filing because the USPS does not keep complete records of items sent by Certified Mail. A committee sending its report by Registered Mail should keep its proof of mailing. Note that a Certificate of Mailing from the USPS is not sufficient to prove that a report is timely filed using Registered, Certified or Overnight Mail.

#### Overnight Mail

Reports filed via overnight mail will be considered timely filed if the report is received by the delivery service on or before the mailing deadline. "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with which the report is scheduled for next business day delivery and is recorded in the service's on-line tracking system.

<sup>3</sup>Generally, an individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

<sup>4</sup>If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z.

### **Other Means of Filing**

Reports filed by any other means—including first class mail and courier—must be received by the Commission (or for Senate committees, the Secretary of the Senate) before the close of business on the last business day before the filing deadline.

Forms are available for downloading and printing at the FEC website at [www.fec.gov/info/forms.shtml](http://www.fec.gov/info/forms.shtml).

### **48 HOUR NOTICES ON CONTRIBUTIONS**

Notices are required if the committee receives any contribution (including in-kind gifts or advances of goods or services; Loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running.

The notices, which may be filed using Form 6, or under limited circumstances Form 10, must reach the appropriate federal and/or state filing office(s) within 48 hours of the committee's receipt of the contribution(s). U.S. Senate candidates must transmit the notices to the Secretary of the Senate by fax at (202) 224-1851. **Campaign committees that file electronically MUST submit their 48-hour notices electronically.** For more information, visit the FEC web site at [www.fec.gov/electfil/online.shtml](http://www.fec.gov/electfil/online.shtml).

U.S. House candidates faxing 48-hour notices should transmit them to the FEC at (202) 219-0174. Paper forms are available at the FEC web site at [www.fec.gov/info/forms.shtml](http://www.fec.gov/info/forms.shtml).

### **COMPLIANCE**

**Treasurer Responsibility.** Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. For additional information, see the Commission's *Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings* on the web site at [www.fec.gov/law/policy/2004/notice2004-20.pdf](http://www.fec.gov/law/policy/2004/notice2004-20.pdf).

**Administrative Fine Program.** Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$16,000 (or more for repeat late- and non-filers).<sup>5</sup> For additional information, visit the FEC website at [www.fec.gov/af/af.shtml](http://www.fec.gov/af/af.shtml).

**Report Format.** In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.

**Electronic Filers Must File Electronically.** Electronic filers who instead file on paper, or who submit an electronic report (either by direct transmission, 3.5" diskette or CD) that does not pass the validation program by 11:59 p.m. Eastern Time on the filing deadline, will be considered non-filers and may be subject to enforcement actions (including administrative fines).

### **IMPORTANT FILING INFORMATION - PAPER FILERS**

In response to the anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.<sup>6</sup> This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail service, and hand delivery.

<sup>5</sup>Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$16,000, even for first-time violations.

<sup>6</sup>Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more on filing reports via US mail.

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



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 4, 2008

RQ-7

ELEANOR L BUNN, TREASURER  
DR SANDRA B LIVINGSTONE FOR CONGRESS  
PO BOX 787  
PRESCOTT, AZ 86302

IDENTIFICATION NUMBER: C00451864

REFERENCE: OCTOBER QUARTERLY REPORT 8/14/2008 - 9/30/2008

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 EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C. 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510, 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 THIS 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.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT CHRISTOPHER RITCHIE AT OUR TOLL FREE NUMBER (800)424-9530. OUR DIRECT LOCAL NUMBER IS (202)694-1130.

SINCERELY,

PATRICIA CARMONA  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION (RAD)

2003991312092642348



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2009 APR -6 P 4: 37

April 6, 2009

**MEMORANDUM**

**SENSITIVE**

To: The Commission

Through: Robert A. Hickey *AP for RALH*  
Staff Director

From: John D. Gibson *JDG*  
Chief Compliance Officer

Shawn Woodhead Wert *SW*  
Reviewing Officer  
Office of Administrative Review

By: Maureen Benitz *MB*  
Reviewing Analyst

Subject: AF# 1915 – Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer (C00451864)

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

29092642349



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 6, 2009

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

AF# 1915 – Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer  
(C00451864)

On December 18, 2008, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2008 October Quarterly Report, a non-election sensitive report, and made a preliminary determination that the civil money penalty was \$4,500 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified, at their address of record, by the Reports Analysis Division ("RAD") on December 22, 2008 of the Commission's RTB finding and civil money penalty. The RTB letter was returned on January 8, 2009 and re-sent on January 12 to an alternate address provided by the candidate.

**Respondents' Response**

On February 6, 2009, the Commission received the written response ("challenge") from David Bunn-Livingstone, who signed as Treasurer on behalf of the respondents.<sup>1</sup> It states that the RTB finding and civil money penalty are incorrect because of three factors. These are:

- the RTB letter was not received until January 24, 2009, as it was previously delivered to the wrong address;
- the Committee filed a Termination Report in lieu of the October Quarterly Report on October 22, 2008 which was within 30 days of the due date. This date was demonstrated when the Committee sent copies of the Termination Report to the Commission in January 2009; and
- the civil money penalty was miscalculated using \$132,272 as the level of activity instead of the \$15,816 combined receipts and disbursements, and the right penalty is \$135 for the late filing.

**Analysis**

The Termination Report, which covers the October Quarterly reporting period of August 14 through September 30, 2008, was filed, via express mail, on January 10, 2009. There is no indication from Commission records that the report was filed on an earlier date.

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<sup>1</sup> An amended Statement of Organization was received on January 12, 2009 designating Mr. Bunn-Livingstone as Treasurer.

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The Federal Election Campaign Act ("Act") states that the treasurer of an authorized committee of a candidate shall file a report for the period ending September 30 no later than October 15. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Political committees required to file reports with the Commission must file in an electronic format if they received or expect to receive contributions or made or expect to make expenditures in a calendar year aggregating in excess of \$50,000. 2 U.S.C. § 434(a)(11) and 11 C.F.R. § 104.18(a). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

The respondents assert that the RTB letter was delivered to the wrong address. However, the letter was sent to the Committee's address of record, which was also the address included on the Termination Report and amended Statement of Organization filed on January 10. A letter provided with the Statement of Organization explains that after the Committee filed its reports on October 22 the campaign office, P.O. Box and bank account were all closed. Committees are required to disclose changes to the information on a previously submitted statement of organization no later than 10 days after the date of the change. 2 U.S.C. § 433(c) and 11 C.F.R. § 102.2(a)(2). A new address was not provided to the Commission until the 2008 Year End Report was received in March 2009. Thus, the delay in delivery rests with the respondents, not the Commission.

The respondents claim that the report was filed on October 22. However, the Information Technology Division ("ITD") shows no record of an attempted electronic filing, nor do Commission records disclose the receipt of the report by mail or delivery service. They should have realized, having filed the July Quarterly and 12 Day Pre-Primary Reports electronically, that they would receive a confirmation email from the Commission upon a successful electronic filing. RAD's telecoms (written records of telephone conversations) show that Mr. Bunn-Livingstone called on October 23 to explain why the report had not been filed, asked how to file the report since the Treasurer is still unavailable, and was instructed in how to download the FECFile software and create reports. In her conversation with the RAD Analyst on January 12, 2009, the candidate acknowledged that they did not have confirmation receipts for the electronically filed reports and the only postal receipt they had showed that they mailed the paper copies. The only indication of the October 22 date is the date on the first page of the report received January 12.

Based on the \$227,050 in contributions and candidate loans reported by the Committee as of August 13, 2008, it appeared to have exceeded the \$50,000 mandatory electronic filing threshold at the time of the RTB finding. According to RAD's telecoms and the respondents' February 19, 2009 letter, the Committee's reports preparer incorrectly included a \$200,000 candidate loan on the reports. The candidate later fired this person when she discovered he included the false information. The amended 12 Day Pre-Primary and Termination Reports filed subsequent to the Commission sending the RTB letter no longer include the \$200,000 loan and show only \$41,684 in contributions and a \$4,000 candidate loan through September 30, 2008. Therefore, they were not required to electronically file their reports.

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They indicate that the fine was assessed using an incorrect level of activity and should be \$135. At the time of the RTB finding, the Commission estimated the level of activity to be \$132,272 because no report was received. 11 C.F.R § 111.43(a)(2)(ii) and (e). The Termination Report, filed on January 10, 2009, and covering the October Quarterly reporting period, is considered not filed for purposes of the civil money penalty calculation because it was filed more than 30 days after the October Quarterly Report's due date. It discloses \$3,787 in receipts and \$12,029 in disbursements. For an authorized committee, the level of activity means the total amount of receipts and disbursements for the period covered by the report. 11 C.F.R. § 111.43(a)(2)(i). This then results in an actual level of activity of \$15,816. Using the schedule of penalties at 11 C.F.R § 111.43(a)(2) for a non-election sensitive report that is considered not filed, respondents with no prior violations, and the level of activity bracket of \$10,000 - \$24,999.99, the civil money penalty is  $\$500 \times [1 + (.25 \times 0)]$  or \$500.

Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$500. In addition, RAD has notified the Reviewing Officer that the Committee is now eligible to terminate.

#### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 1915 involving Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1915 that Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Termination Report which includes the October Quarterly reporting period and was filed on January 10, 2009 (\$15,816), assess a civil money penalty of \$500; and
- (3) Send the appropriate letter.

Reviewing Analyst: Maureen Benitz

#### Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 –

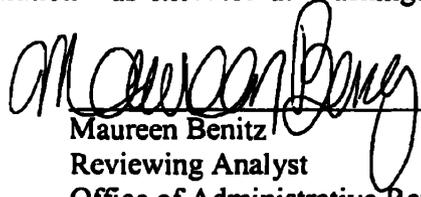
Attachment 3 – Declaration from RAD

Attachment 4 – Declaration from OAR

### DECLARATION OF MAUREEN BENITZ

1. I am the Reviewing Analyst in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Analyst, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2008 October Quarterly Report is due October 15, 2008. If sent by Express Mail with delivery confirmation, the report must be deposited with the delivery service by the close of business on October 15 to be timely filed.
3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of the:
  - a) Page 1 of the Statement of Organization filed by Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer. According to Commission records, the Statement was received on June 19, 2008 and the address on Line 1 is PO Box 787 Prescott AZ 86302;
  - b) Page 1 of the Summary Page and Page 3 of the Detailed Summary Page for the 2008 12 Day Pre-Primary Report filed by Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer. According to Commission records, the report was received on August 22, 2008. Lines 11(e) and 16, Column B list \$27,050.00 in total contributions and \$200,000.00 in total loans received;
  - c) Pages 1 and 3 of the Statement of Organization and Cover Letter filed by Dr. Sandra B. Livingstone for Congress and David Bunn-Livingstone, as Treasurer. According to Commission records, the Statement and letter were received on January 12, 2009. Line 1 lists the address as PO Box 787 Prescott AZ 86302 and the address change box is not checked. Line 8 lists David Richard Spencer Bunn-Livingstone as Treasurer. The letter states that Mr. Bunn-Livingstone filed the Termination Report "as soon as I was able to get the documents, filing October 22<sup>nd</sup> through the e-file system, and posting the same documents with my signature to arrive October 23<sup>rd</sup>. As we thought all was complete after we filed, the ... PO Box ... [was] closed ;"
  - d) Page 1 of the Summary Page and Page 3 of the Detailed Summary Page for the amended 2008 12 Day Pre-Primary Report filed by Dr. Sandra B. Livingstone for Congress and David Bunn-Livingstone, as Treasurer. According to Commission records, the report was received on January 12, 2009. Lines 11(e) and 16, Column B list \$37,897.29 in total contributions and \$4,000.00 in total loans received;
  - e) Page 1 of the Summary Page, Pages 3 and 4 of the Detailed Summary Page, and the Envelope Replacement Page for the 2008 Termination Report filed via USPS express mail by Dr. Sandra B. Livingstone for Congress and David Bunn-Livingstone, as Treasurer. According to Commission records, the report was sent on January 10, 2009 and received on January 12, 2009. Lines 11(e) and 16, Column B list \$41,684.79 in total contributions and \$4,000.00 in total candidate loans, respectively. For this period, Lines 24 and 26 list \$3,787.50 in total receipts and \$12,029.39 in total disbursements, respectively;
  - f) Letter dated February 19, 2009 addressed to Eric R. Fusselle filed by Dr. Sandra B. Livingstone for Congress and David Bunn-Livingstone, as Treasurer. According to Commission records, the letter was received on March 4, 2009 and

- references the amended July Quarterly, amended 12 Day Pre-Primary, and Termination Reports. For the amended July Quarterly Report, the letter says that the "Committee did not utilize loan money from the Candidate;" and
- g) Page 1 of the 2008 Year End Report filed by Dr. Sandra B. Livingstone for Congress and David Bunn-Livingstone, as Treasurer. According to Commission records, the report was received on March 4, 2009. On Line 1, the address is listed as 303 San Carlos Road Prescott AZ 86303 and the box indicating "Check if different than previously reported" is checked.
4. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 6<sup>th</sup> of April, 2009.

  
Maureen Benitz  
Reviewing Analyst  
Office of Administrative Review  
Federal Election Commission

FEC  
FORM 1

STATEMENT OF  
ORGANIZATION

RECEIVED  
FEC MAIL CENTER

2008 JUN 19 AM 10:02

Office Use Only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: If typing, type over the lines. 12FB4M5

DR. SANDRA B. LIVINGSTONE FOR CONGRESS

ADDRESS (number and street) PO BOX 787

(Check if address is changed)

PRESCOTT

ARIZONA AZ 86302

CITY

STATE

ZIP CODE

COMMITTEE'S E-MAIL ADDRESS

info@DrLivingstoneIPresume.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

www.DrLivingstoneIPresume.com

COMMITTEE'S FAX NUMBER

928-776-0765

2. DATE 06' 17' 2008

3. FEC IDENTIFICATION NUMBER C

4. IS THIS STATEMENT  NEW (N) OR  AMENDED (A)

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

Type or Print Name of Treasurer ELEANOR L. BUNN

Signature of Treasurer Eleanor L. Bunn Date 06' 17' 2008

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

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office Use Only						For Further Information contact: Federal Election Commission Toll Free 800-424-9530 Local 202-694-1100	FEC FORM 1 (Revised 12/2007)
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28039751583

**FEC  
FORM 3**

**REPORT OF RECEIPTS  
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

DR SANDRA B LIVINGSTONE FOR CONGRESS

ADDRESS (number and street)

PO BOX 787

Check if different than previously reported. (ACC)

PRESQOTT

AZ

86302

2. FEC IDENTIFICATION NUMBER

C00451864

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS REPORT

X

NEW (N)

OR

AMENDED (A)

AZ

01

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

X

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

09

02

2008

in the State of

AZ

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the State of

5. Covering Period

07

01

2008

through

08

13

2008

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

Type or Print Name of Treasurer

Eleanor L Bunn

Signature of Treasurer

Electronically Filed by Eleanor L Bunn

Date

08

21

2008

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

Office Use Only

**FEC FORM 3**  
(Revised 02/2003)

29092642356

**DETAILED SUMMARY PAGE**  
of Receipts

Write or Type Committee Name  
DR SANDRA B LIVINGSTONE FOR CONGRESS

Report Covering the Period: From: M M D D Y Y Y Y To: M M D D Y Y Y Y  
0 7 0 1 2 0 0 8 0 8 1 3 2 0 0 8

**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	15455.00	19855.00
(i) Itemized (use Schedule A).....		
(ii) Unitemized.....	6870.00	7195.00
(iii) TOTAL of contributions	22325.00	27050.00
from individuals..... ▶		
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACS).....	0.00	0.00
(d) The Candidate.....	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))	22325.00	27050.00

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
---	------	------

13. LOANS		
(a) Made or Guaranteed by the Candidate.....	0.00	200000.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	0.00	200000.00

14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....	0.00	0.00
---	------	------

15. OTHER RECEIPTS (Dividends, Interest, etc.).....	0.00	0.00
---	------	------

16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)..... ▶	22325.00	227050.00
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29092642357



RECEIVED  
FEC MAIL CENTER

2009 JAN 12 PM 12: 02

FEC

Attn: ReAnna McGregor

999 E St. NW

Washington, DC 20463

9<sup>th</sup> of January 2009

Dear ReAnna,

I was notified yesterday, January 8<sup>th</sup> 2009, by Eleanor Bunn, the previous Treasurer for the Campaign for Dr. Sandra B. Livingstone for Congress (AZ CD1) that the FEC has no record of receiving our Termination Report in October, even though we sent it to you in two formats. We have received no notification from the FEC that the October Report (which was our Termination Report) was not filed. Mrs. Bunn explained that you told her you attempted to send a letter December 22<sup>nd</sup>, which was not delivered. So this is the first indication we have had that anything was amiss.

I am horrified to hear this! We immediately tried to call you on (202) 694-1137, where I left a message for you January 8<sup>th</sup>, Dr. Livingstone called you on this number Friday, January 9<sup>th</sup>, and I left another message for you Friday, January 9<sup>th</sup>, seeking instructions as to how we can rectify this matter ASAP.

I had called to talk to one of your colleges, Eric Fuselle, in October to ask what to do about filing our October Report, as our Treasurer was out-of-State with her husband in late September/Early October when he had to be rushed to Hospital, where he was critically ill for several weeks. She was not able to get back as planned, and did not have all the documents at hand given the medical emergency to file the reports herself on time, nor for me to take over and complete a timely filing of our report. Eric advised us that we should change the Treasurer, and file the Termination Report as soon as possible with an explanation of the circumstances. As the new Treasurer, I did this as soon as I was able to get the documents, filing October 22<sup>nd</sup> through the e-file system, and posting the same documents with my signature to arrive October 23<sup>rd</sup>.

As we thought all was complete after we filed, the Campaign Office, PO Box and Bank Account were closed. Thus I have not received the urgent letter that I am told was sent to us on the 22<sup>nd</sup> of December from the FEC, and have been unaware until now that the FEC has not received our filing.

Since I have not heard back from you with instructions, I am immediately enclosing copies of the 2 Amended Reports I filed on October 22<sup>nd</sup> for the quarter to June 30<sup>th</sup> and the August 13<sup>th</sup> Pre-Primary Report, as well as the new Termination Report and change of Treasurer form. I am sending them exactly as I sent them in October. You will see that I was unable to get the software to link the data from the first report to the second and then to the Termination Report. I therefore had to hand calculate all the cumulative figures for the second and third reports. I hope this has not been the cause or reason for any problem with the e-filing, although I know we are not required by law to e-file, as our total receipts and disbursements are less than \$50,000.

I have signed the bottom of these Reports again, so you will have an original signature on them. I tried to e-file these reports again, but was unable to do so, as the Sign-In and Password that I previously used do not seem to be working now.

Please call me ASAP to let me know that you received the Reports, and how to file them again electronically.

*David R B Livingstone*

29092642358  
2903997415

FEC FORM 1

STATEMENT OF ORGANIZATION

RECEIVED  
FEC FORM CENTER

2009 JUN 12 PM 12:02

Office Use Only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: If typing, type over the lines.

12FB4M5

DR SANDRA B. LIVINGSTONE FOR CONGRESS

ADDRESS (number and street)

PO Box 787

(Check if address is changed)

PRESCOTT

AZ

86302

CITY

STATE

ZIP CODE

COMMITTEE'S E-MAIL ADDRESS

DR.LIVINGSTONE.FORCONGRESS@gmail.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

www.BLivingstoneForCongress.com

COMMITTEE'S FAX NUMBER

928-269-3912

2. DATE

10 21 2009

3. FEC IDENTIFICATION NUMBER

000451864

4. IS THIS STATEMENT

NEW (N)

OR



AMENDED (A)

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

Type or Print Name of Treasurer

David R. S. Ben Livingstone

Signature of Treasurer

David R. S. Ben Livingstone

Date

10 21 2009

ALL OTHER INFORMATION ON THIS FORM REMAINS TO BE REPORTED SEPARATELY.

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. 3437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office Use Only						For further information contact Federal Election Commission toll free 800-424-9688 Local 202-694-1100	FEC FORM 1 (Revised 12/2007)
-----------------	--	--	--	--	--	--	---------------------------------

This form is submitted to replace the Treasurer.  
Please see accompanying Form 99.

David R. S. Ben Livingstone

This is a true copy of the original document filed on October 2008 with the FEC

29092642359  
29039974416

Write or Type Committee Name

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

[Empty grid lines for organization name]

Mailing Address

[Empty grid lines for mailing address]

CITY

STATE

ZIP CODE

Relationship:

- Connected Organization
- Affiliated Committee
- Leadership PAC Sponsor
- Joint Fundraising Representative

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

CHARLENO MARSHALL

Mailing Address

101 N. GORTON ST.

PRESCOTT AZ 86307

CITY

STATE

ZIP CODE

Title or Position

OFFICE MANAGER

Telephone number

928-277-4272

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

Full Name of Treasurer

DAVID RICHARD SPENCER BUNN-LIVINGSTONE

Mailing Address

P.O. Box 987

PRESCOTT AZ 86302

CITY

STATE

ZIP CODE

Title or Position N/A

Telephone number

928-277-4272

29092642360  
29039974418

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

RECEIVED  
FEC MAIL CENTER

2009 JUN 12 PM 12:03

Office Use Only

1. NAME OF COMMITTEE (in full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

Dr. Sandra B. Livingstone For Congress

ADDRESS (number and street) P.O. Box 787

Check if different than previously reported. (ACC)

Prescott AZ 86302

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE STATE DISTRICT

C00451884

3. IS THIS REPORT NEW OR AMENDED (A)

AZ

4. TYPE OF REPORT (Choose One)

(a) Quarterly Report:

- April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
January 31 Year-End Report (YE)
Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

X Primary (12P) General (12G) Runoff (12R)
Convention (12C) Special (12S)

Election on 09 02 2008 in the State of AZ

(c) 30-Day POST-Election Report for the:

General (30G) Runoff (30R) Special (30S)

Election on in the State of

5. Covering Period 07 01 2008 through 08 13 2008

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

Type or Print Name of Treasurer David B Livingstone

Signature of Treasurer Electronically Filed by David B Livingstone Date 10 22 2008

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

Office Use Only FEC FORM 3 (Revised 02/2003)

FESAND18

David B Livingstone
This is a true copy of a document filed Oct. 2008 w/
LA OFF

29092642361
29039974434

**DETAILED SUMMARY PAGE  
of Receipts**

FEC Form 3 (Revised 12/2003)

Page 3

Write or Type Committee Name

Report Covering the Period: From:

/  /

To:

/  /

**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  
(1) Itemized (see Schedule A) \_\_\_\_\_

1805817

2274832

(2) Unitemized \_\_\_\_\_

452386

495211

(b) TOTAL of contributions from individuals

2258203

2770093

(c) Political Party Committees \_\_\_\_\_

000

000

(d) Other Political Committees (such as PACs) \_\_\_\_\_

000

000

(e) The Candidate \_\_\_\_\_

701816

1019636

(f) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(1), (b), (c), and (d))

2960099

3789729

**12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES**

000

000

**13. LOANS:**

(a) Made or Guaranteed by the Candidate \_\_\_\_\_

400000

400000

(b) All Other Loans \_\_\_\_\_

000

000

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

400000

400000

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

000

000

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

000

000

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

3360099

4189729

29092642362  
29039974436

**FEC FORM 3**

**REPORT OF RECEIPTS AND DISBURSEMENTS**

For An Authorized Committee

RECEIVED  
FEDERAL CENTER  
2009 JUN 12 PM 12:03  
Office Use Only

1. NAME OF COMMITTEE (in full) **USE FED MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Dr Sandra B Livingstone for Cons

ADDRESS (number and street)

P.O. Box 787

Check if different than previously reported. (ACC)

REPORT

AZ

86302

2. FEC IDENTIFICATION NUMBER

C00451884

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS REPORT  NEW (N) OR  AMENDED (A)

AZ 101

4. TYPE OF REPORT (Choose One)

(a) Quarterly Report:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

In the State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

In the State of

5. Covering Period 08 14 2008 through 09 30 2008

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

Type or Print Name of Treasurer David B Livingstone

Signature of Treasurer Electronically Filed by David B Livingstone

Jun 10 22 2008

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

Office Use Only

FEC FORM 3 (Revised 02/2003)

FESAND18

David B Livingstone

This is a true copy of a document filed Oct 2008

29092642363  
29039974748

**DETAILED SUMMARY PAGE**  
of Receipts

FEC Form 3 (Revised 12/2008)

Page 3

Name or Type of Committee

**DR SANDRA B. LIVINGSTONE FOR CONGRESS**

Report Covering the Period:

From:

**09' 14' 2009**

To:

**09' 30' 2009**

**I. RECEIPTS**

**COLUMN A**  
Total This Period

**COLUMN B**  
Election Cycle-to-Date

**CONTRIBUTIONS (other than loans) FROM:**

Individuals/Persons Other Than Political Committees

(a) Itemized (see Schedule A) \_\_\_\_\_

**1,280.00**

**2,402,892**

(b) Unitemized \_\_\_\_\_

**2,497.50**

**7,399.61**

(c) **TOTAL** of contributions from individuals \_\_\_\_\_

**3,777.50**

**3,142,843**

Political Party Committees \_\_\_\_\_

**0.00**

**0.00**

Other Political Committees (such as PACs) \_\_\_\_\_

**0.00**

**0.00**

The Candidate \_\_\_\_\_

**60.00**

**1,025,636**

**TOTAL CONTRIBUTIONS**

(other than loans)

(add Lines 11(a)(i), (b), (c), and (d)) \_\_\_\_\_

**3,777.50**

**4,168,479**

**TRANSFERS FROM OTHER AUTHORIZED COMMITTEES** \_\_\_\_\_

**0.00**

**0.00**

**LOANS:**

Made or Guaranteed by the Candidate \_\_\_\_\_

**0.00**

**4,000.00**

All Other Loans \_\_\_\_\_

**0.00**

**0.00**

**TOTAL LOANS** (add Lines 13(a) and (b)) \_\_\_\_\_

**0.00**

**4,000.00**

**OFFSETS TO OPERATING EXPENDITURES** (Refunds, Rebates, etc.) \_\_\_\_\_

**0.00**

**0.00**

**OTHER RECEIPTS**

(Dividends, Interest, etc.) \_\_\_\_\_

**0.00**

**0.00**

**TOTAL RECEIPTS** (add Lines 11(a), 12, 13(a), 14, and 15) Carry Total to Line 24, page 4 \_\_\_\_\_

**3,777.50**

**45,684.95**

29092642364  
74750

**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.....	12,029.39	45,635.47
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of All Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	12,029.39	45,635.47

**III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	8,291.21
24. TOTAL RECEIPTS THIS PERIOD (from Line 18, page 3).....	37,877.50
25. SUBTOTAL (add Line 23 and Line 24).....	12,078.71
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	12,029.39
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	49.32

29092642365  
9039974751

**Federal Election Commission**  
**ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS**  
 The FEC added this page to the end of this filing to indicate how it was received.

29092642366  
 29039974761

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input checked="" type="checkbox"/> USPS Express Mail	Postmarked 1/10/09
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
	Next Business Day Delivery <input type="checkbox"/>
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
<i>Jrw</i> PREPARER	1/12/09 DATE PREPARED

(3/2005)



RECEIVED  
FEC MAIL CENTER

2009 MAR -4 A 11: 15

**FEC, Reports Analysis Division**

**Attn: Eric R. Fusselle**

**999 E St. NW**

**Washington, DC 20463**

**David B. Livingstone, Treasurer**

**303 San Carlos Rd**

**Prescott, AZ 86303**

19<sup>th</sup> of February 2009

Identification Number: C00451864

**Reference: Amended July Quarterly Report (1/4/08 – 6/30/08), dated 10/22/08**

**Amended 12 Day Pre-Primary Report (7/1/08 – 8/13/08), dated 10/22/08**

**Termination Report (8/14/08 – 9/30/08)**

Pursuant to your three letters of the 22<sup>nd</sup> of January 09, requesting amendment or explanation of changes made in the Amended Filings dated 10/22/08, I wish to provide forthwith the requested explanation and information essential to full public disclosure of these federal election campaign finances.

**Amended July Quarterly Report Filed October 22, 2008**

On becoming the Treasurer for this Committee, I made a full review of the documentation retained by the Committee, and review of the two original financial reports filed with the FEC, for the purpose of making a Termination Report.

1. The Committee did not utilize loan money from the Candidate. Therefore, there is no outstanding loan. This is reflected in the Amended filing.

**Amended 12 Day Pre-Pre-Primary Report Filed October 22, 2008**

1. Having removed in the Amended Report for the first period ending 6/30/08, the loan that was never utilized, there was therefore no outstanding loan in this subsequent report either.

2. The increase in receipts in the Amended Report for the period ending 8/13/08 is due to a fundraising event just before the reporting period ended, which resulted in numerous checks sent to the Committee P.O. Box within the reporting period, but not collected and cashed until after the report was filed. The Report has been amended to reflect these donations.

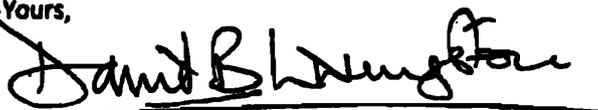
29092642367  
29030043617

**Termination Report for period to 9/30/08**

I contacted Eric Fusselle on February 19<sup>th</sup> 2009, who has reviewed the adequacy of this response. I trust that this will enable you to grant my request to terminate. In the meantime, as requested by Eric Fusselle, I am filing a Termination Report (Continued) for the period to 12/31/08, reflecting that there has been NO further activity for the period, even though I already filed the Committee's Termination Report on October 22, 2008.

Please send all correspondence to: 303 San Carlos Road, Prescott, Arizona 86303.

Very Truly Yours,



David B. Livingstone

Treasurer, Dr. Sandra B. Livingstone for Congress

29092642368  
29030043618

**FEC FORM 3**

**REPORT OF RECEIPTS AND DISBURSEMENTS**  
For An Authorized Committee

RECEIVED  
FEC MAIL CENTER

2009 MAR -4 4:11:15 PM

1. NAME OF COMMITTEE (in full) **DR. SANDRA B. LIVINGSTONE FOR CONGRESS**  
 ONE-FEC MAILING LABEL OR TYPE OR PRINT-Y **303 San Carlos Road**  
 Example: If typing, type over the lines

Dr. Sandra B. Livingstone for Congress

ADDRESS (number and street) **303 San Carlos Road**

Check if different than previously reported. (ACC)

**Prescott AZ 85303**

2. FEC IDENTIFICATION NUMBER **C00451804**  
 CITY A STATE A ZIP CODE A STATE V DISTRICT

3. IS THIS REPORT  NEW (N) OR  AMENDED (A)

**AZ 01**

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
- July 15 Quarterly Report (Q2)
- October 15 Quarterly Report (Q3)
- January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

- Primary (12P)  General (12G)  Runoff (12R)
  - Convention (12C)  Special (12S)
- Election on \_\_\_\_\_ In the State of \_\_\_\_\_

(c) 30-Day POST-Election Report for the:

- General (30G)  Runoff (30R)  Special (30S)
- Election on \_\_\_\_\_ In the State of \_\_\_\_\_

5. Covering Period **10 01 2008** through **12 31 2008**

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

Type or Print Name of Treasurer **David B Livingstone**

Signature of Treasurer **David B Livingstone** Electronically Filed by **David B Livingstone** Date **02 19 2009**

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

Office-Use-Only							
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**FEC FORM 3**  
(Revised 02/2003)

29092642369 29030043619



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA OVERNIGHT DELIVERY**

April 7, 2009

Eleanor L. Bunn, as Treasurer  
Dr. Sandra Livingstone for U.S. Congress  
P.O. Box 787  
Prescott, AZ 86302

C00451864  
AF# 1915

Dear Ms. Bunn:

On December 18, 2008, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Dr. Sandra Livingstone for U.S. Congress and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2008 October Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$4,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response submitted by you and any supplemental information submitted Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. 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. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). 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 black ink that reads "Maureen Benitz".

Maureen Benitz  
Reviewing Analyst  
Office of Administrative Review

Attachment

29092642370



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2009 JUN 10 10 50 AM

June 10, 2009

**MEMORANDUM**

**SENSITIVE**

To: The Commission

Through: Robert A. Hickey  
Staff Director

From: John D. Gibson  
Chief Compliance Officer

Shawn Woodhead Wertz  
Reviewing Officer  
Office of Administrative Review

By: Maureen Benitz  
Reviewing Analyst

Subject: Final Determination Recommendation in AF# 1915 – Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer (C00451864)

On December 18, 2008, the Commission found reason to believe (“RTB”) that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2008 October Quarterly Report. As a result, the Commission also made a preliminary determination that the civil money penalty was \$4,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

On January 10, 2009, the Commission received the Termination Report, which covers the October Quarterly reporting period of August 14 through September 30, 2008. At the time of the RTB finding, the Commission estimated the level of activity to be \$132,272 because no report was received. 11 C.F.R § 111.43(a)(2)(ii) and (e). The Termination Report discloses \$3,787 in receipts and \$12,029 in disbursements. For an authorized committee, the level of activity means the total amount of receipts and disbursements for the period covered by the report. 11 C.F.R. § 111.43(a)(2)(i). This then results in an actual level of activity of \$15,816. Had the report been filed disclosing this level of activity (\$15,816) prior to the Commission’s RTB finding, the civil money penalty would have been \$500 based on the schedule of penalties at 11 C.F.R. § 111.43(a).

29092642371

On February 6, 2009, the Commission received their written response ("challenge") from David Bunn-Livingstone, who signed as Treasurer on behalf of the respondents. After reviewing the challenge, the Reviewing Officer's recommendation ("ROR"), dated April 6, 2009, was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$500 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

The ROR was sent to their former Arizona address of record, it was forwarded by the USPS to the current Treasurer's address in Virginia and subsequently returned to the Commission as unclaimed. On April 28, 2009, a copy of the ROR was sent via FedEx to the current Arizona address of record. Since April 28, the Reviewing Analyst has, on several occasions, spoken with both the respondent and current Treasurers about their receipt of and response to the ROR. In speaking with the respondent Treasurer, Eleanor L. Bunn, the Reviewing Analyst offered to send an additional copy of the ROR using USPS certified mail or via facsimile because Ms. Bunn claims to have not signed for the package even though the FedEx online tracking system shows it was received on April 29. Ms. Bunn told the Reviewing Analyst that she was going to be traveling out of the area and would be unable to receive the mail.

Concurrently, the Reviewing Analyst attempted to reach the current Treasurer, David Bunn-Livingstone. Mr. Bunn-Livingstone called the Reviewing Analyst, after Ms. Bunn told him that OAR was attempting to reach him. He told the Reviewing Analyst that he was unsure why mail sent to either the Arizona or Virginia addresses was being returned. As with Ms. Bunn, the Reviewing Analyst offered to send a copy to an alternate address, or to send a copy via facsimile. He declined, stating he was on travel and that he did not have a phone number where the Reviewing Analyst could call him. He stated that he would call back with a facsimile number when he found one he could use. To date, he has not called back to provide either an alternate mailing address or a facsimile number.

In a final attempt, the Reviewing Analyst resent the ROR to both the Arizona and Virginia addresses via FedEx. The FedEx online tracking system shows that the package sent to the address in Arizona was signed for on May 21 and the one in Virginia on May 22.

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 Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

The Reviewing Officer recommends that the Commission make a final determination and assess a \$500 civil money penalty.

29092642372

**OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 1915 involving Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1915 that Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Termination Report which includes the October Quarterly reporting period and was filed on January 10, 2009 (\$15,816), assess a civil money penalty of \$500; and
- (3) Send the appropriate letter.

29092642373

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Final Determination Recommendation: ) AF 1915  
Dr. Sandra B. Livingstone for Congress )  
and Eleanor L. Bunn, as Treasurer )  
(C00451864) )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on June 25, 2009, the Commission decided by a vote of 6-0 to take the following actions in AF 1915:

1. Adopt the Reviewing Officer recommendation for AF 1915 involving Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer, in making the final determination.
2. Make a final determination in AF 1915 that Dr. Sandra B. Livingstone for Congress and Eleanor L. Bunn, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Termination Report which includes the October Quarterly reporting period and was filed on January 10, 2009 (\$15,816), assess a civil money penalty of \$500.00.
3. Send the appropriate letter.

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

Attest:

June 30, 2009  
Date

for Darlene Harris  
Mary W. Dove  
Secretary of the Commission

29092642374



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 16, 2009

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Eleanor L. Bunn, as Treasurer  
Dr. Sandra B. Livingstone for Congress  
303 San Carlos Road  
Prescott, AZ 86303

C00451864  
AF# 1915

Dear Ms. Bunn:

On December 18, 2008, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Dr. Sandra B. Livingstone and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2008 October Quarterly Report. By letter dated December 22, 2008, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$4,500 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On February 6, 2009, the Office of Administrative Review received the written response from Mr. David Bunn-Livingstone, the current Treasurer, challenging the RTB civil money penalty.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated on an estimated level of activity, make a final determination that Dr. Sandra B. Livingstone and you, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Termination Report, covering the period of August 14 through September 30, filed via express mail, on January 10, 2009 (\$15,816), assess a civil money penalty in the amount of \$500 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on April 7 and 28, 2009. In a final attempt, the Reviewing Analyst resent the ROR to both the Arizona and Virginia addresses via FedEx. The FedEx online tracking system shows that the packages were sent on May 20. The one sent to the address in Arizona was signed for on May 21 and the one in Virginia on May 22.

On June 25, 2009, the Commission adopted the Reviewing Officer's recommendation, made a final determination that Dr. Sandra B. Livingstone, and you, as Treasurer, violated 2 U.S.C. § 434(a) and based on the level of activity disclosed on the Termination Report which covers the period of August 14 through September 30 (\$15,816), assessed a civil money penalty of \$500 (reduced from the RTB civil money penalty of \$4,500). It is based on the same factors

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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.

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

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

**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 the debtor and 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.

**If You Choose To Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

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

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

On behalf of the Commission,



Steven T. Walther  
Chairman

Attachment

CC: David Richard Spencer Bunn-Livingstone

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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$500 for the 2008 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: Dr. Sandra B. Livingstone for Congress

FEC ID#: C00451864

AF#: 1915

PAYMENT AMOUNT DUE: \$500

29092642377

FEC Office of Administrative Review  
999 E Street, NW  
Washington, DC

27<sup>th</sup> of July, 2009-07-28

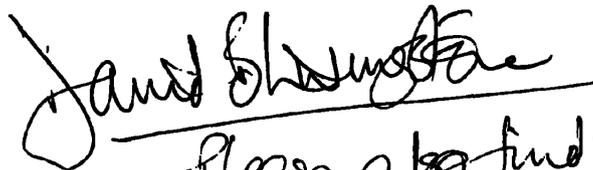
RE: Challenge of RTB finding & calculated Civil Money Penalty

1. The Committee for Dr. Sandra B. Livingstone for Congress received notification of your finding and assessment of Civil Money Penalties of \$500.
2. The Committee for Dr. Sandra B. Livingstone for Congress wishes to challenge both the RTB Finding and the calculated civil money penalty of \$500 for the following reasons:
  - A) There is a factual error in the RTB Finding:
    1. The Committee filed its FEC 'Termination' Report including the period covered by the October Quarterly Report, within 30 days of the due date.
    2. In fact, the Report was filed on October 22<sup>nd</sup>, 2008 which was within 7 days of the date. This fact was proved to the FEC when the committee sent copies of its previously filed 'Termination Report' to the FEC in January of this year, containing the October Report (i.e. the Committee's attempt at a Termination Report).
  - B) The Civil Money Penalty is set at a too high amount, at \$500. The correct penalty amount for being 7 days late with the October Quarterly Report at the level of activity reported should be \$135.00.

We appreciate your timely consideration of this challenge, please send all correspondence to: 303 San Carlos Rd, Prescott, AZ 86303.

Very Truly Yours,

David B Livingstone



*Please also find our enclosed Quarterly reports*

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April

RECEIVED  
FEC MAIL CENTER

2009 AUG -4 AM 11:32

**FEC  
FORM 3**

**REPORT OF RECEIPTS  
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Dr. Sandra B Livingstone for Congress

ADDRESS (number and street) 303 San Carlos Drive 20

Check if different than previously reported. (ACC)

Prescott AZ 86303

2. FEC IDENTIFICATION NUMBER C00451864  
3. IS THIS REPORT X NEW (N) OR AMENDED (A)  
CITY STATE ZIP CODE STATE DISTRICT  
AZ 01

4. TYPE OF REPORT (Choose One)  
(a) Quarterly Reports:  
X April Quarterly Report (Q1)  
July 15 Quarterly Report (Q2)  
October 15 Quarterly Report (Q3)  
January 31 Year-End Report (YE)  
Termination Report (TER)

(b) 12-Day PRE-Election Report for the:  
Primary (12P) General (12G) Runoff (12R)  
Convention (12C) Special (12S)  
Election on In the State of  
(c) 30-Day POST-Election Report for the:  
General (30G) Runoff (30R) Special (30S)  
Election on In the State of

5. Covering Period 01 01 2009 through 03 31 2009

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

Type or Print Name of Treasurer Mr. David B Livingstone

Signature of Treasurer ~~Mr. David B Livingstone~~ Filed by Mr. David B Livingstone Date 07 27 2009

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

Office Use Only table with 8 columns

FEC FORM 3 (Revised 02/2003)

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**SUMMARY PAGE**  
of Receipts and Disbursements

FEC Form 3 (Revised 02/2003)

Page 2

Write or Type Committee Name

Dr. Sandra B Livingstone for Congress

Report Covering the Period:

From: <sup>M</sup>0 | <sup>M</sup>01 <sup>D</sup>01 <sup>Y</sup>2009

To: <sup>M</sup>03 <sup>M</sup>31 <sup>D</sup>31 <sup>Y</sup>2009

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
<b>6. Net Contributions (other than loans)</b>		
(a) Total Contributions (other than loans) (from Line 11(e)).....	0.00	0.00
(b) Total Contribution Refunds (from Line 20(d)).....	0.00	0.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a)).....	0.00	0.00
<b>7. Net Operating Expenditures</b>		
(a) Total Operating Expenditures (from Line 17).....	0.00	0.00
(b) Total Offsets to Operating Expenditures (from Line 14).....	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)).....	0.00	0.00
<b>8. Cash on Hand at Close of Reporting Period (from Line 27).....</b>	0.00	
<b>9. Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D).....</b>	0.00	
<b>10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D).....</b>	0.00	

**For further information contact:**

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
Toll Free 800-424-9530  
Local 202-694-1100

29092642380

**DETAILED SUMMARY PAGE**  
of Receipts

FEC Form 3 (Revised 12/2003)

Page 3

Write or Type Committee Name  
Dr. Sandra B Livingstone for Congress

Report Covering the Period: From: M M D D Y Y Y Y To: M M D D Y Y Y Y  
01 01 2009 09 31 2009

**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).....	0.00	0.00
(ii) Unitemized.....	0.00	0.00
(iii) TOTAL of contributions		
from individuals..... ▶	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACS).....	0.00	0.00
(d) The Candidate.....	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(ii), (b), (c), and (d))	0.00	0.00

<b>12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....</b>	0.00	0.00
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<b>13. LOANS</b>		
(a) Made or Guaranteed by the Candidate.....	0.00	0.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	0.00	0.00

<b>14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....</b>	0.00	0.00
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<b>15. OTHER RECEIPTS (Dividends, Interest, etc.).....</b>	0.00	0.00
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<b>16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)..... ▶</b>	0.00	0.00
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**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.....	0.00	0.00
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS.....	42.00	42.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	42.00	42.00

**III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	42.00
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	0.00
25. SUBTOTAL (add Line 23 and Line 24).....	42.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	42.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	0.00

**FEC  
FORM 3**

**REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines  
Dr. Sandra B Livingstone for Congress

ADDRESS (number and street) 303 San Carlos Rd  
Check if different than previously reported. (ACC) Prescott AZ 86303

2. FEC IDENTIFICATION NUMBER C00451864  
CITY STATE ZIP CODE STATE DISTRICT  
3. IS THIS REPORT X NEW OR AMENDED (A)  
AZ 01

4. TYPE OF REPORT (Choose One)  
(a) Quarterly Reports:  
April 15 Quarterly Report (Q1)  
X July Quarterly Report (Q2)  
October 15 Quarterly Report (Q3)  
January 31 Year-End Report (YE)  
Termination Report (TER)  
(b) 12-Day PRE-Election Report for the:  
Primary (12P) General (12G) Runoff (12R)  
Convention (12C) Special (12S)  
Election on In the State of  
(c) 30-Day POST-Election Report for the:  
General (30G) Runoff (30R) Special (30S)  
Election on In the State of

5. Covering Period 04 01 2009 through 06 30 2009

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.  
Type or Print Name of Treasurer Mr. David B Livingstone  
Signature of Treasurer *David B Livingstone* ~~Electronically~~ Filed by Mr. David B Livingstone Date 07 27 2009

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

Office Use Only								
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**FEC FORM 3**  
(Revised 02/2003)

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**SUMMARY PAGE**  
of Receipts and Disbursements

FEC Form 3 (Revised 02/2003)

Page 2

Write or Type Committee Name

Dr. Sandra B Livingstone for Congress

Report Covering the Period: From: <sup>M M</sup> 04 <sup>D D</sup> 01 <sup>Y Y Y Y</sup> 2009 To: <sup>M M</sup> 06 <sup>D D</sup> 31 <sup>Y Y Y Y</sup> 2009

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
<b>6. Net Contributions (other than loans)</b>		
(a) Total Contributions (other than loans) (from Line 11(e)).....	0.00	0.00
(b) Total Contribution Refunds (from Line 20(d)).....	0.00	0.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a)).....	0.00	0.00
<b>7. Net Operating Expenditures</b>		
(a) Total Operating Expenditures (from Line 17).....	0.00	0.00
(b) Total Offsets to Operating Expenditures (from Line 14).....	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)).....	0.00	0.00
<b>8. Cash on Hand at Close of Reporting Period (from Line 27).....</b>	0.00	
<b>9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....</b>	0.00	
<b>10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....</b>	0.00	

**For further information contact:**

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
Toll Free 800-424-9530  
Local 202-694-1100

29092642384

**DETAILED SUMMARY PAGE  
of Receipts**

FEC Form 3 (Revised 12/2003)

Page 3

Write or Type Committee Name  
Dr. Sandra B Livingstone for Congress

Report Covering the Period: From: **MM** 04 **DD** 01 **YYYY** 2009 To: **MM** 06 **DD** 30 **YYYY** 2009

**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	0.00	0.00
(i) Itemized (use Schedule A).....		
(ii) Unitemized.....	0.00	0.00
(iii) TOTAL of contributions		
from individuals..... ▶	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACS).....	0.00	0.00
(d) The Candidate.....	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))	0.00	0.00

<b>12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....</b>	<b>0.00</b>	<b>0.00</b>
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<b>13. LOANS</b>		
(a) Made or Guaranteed by the Candidate.....	0.00	0.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	0.00	0.00

<b>14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....</b>	<b>0.00</b>	<b>0.00</b>
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<b>15. OTHER RECEIPTS (Dividends, Interest, etc.).....</b>	<b>0.00</b>	<b>0.00</b>
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<b>16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)..... ▶</b>	<b>0.00</b>	<b>0.00</b>
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**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.....	0.00	0.00
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	0.00	0.00

**III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	0.00
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	0.00
25. SUBTOTAL (add Line 23 and Line 24).....	0.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	0.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	0.00

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**AGREEMENT AS TO THE METHOD OF CERTIFYING  
DEBTS SUBMITTED TO THE FINANCIAL MANAGEMENT SERVICE'S  
CROSS-SERVICING PROGRAM**

**This Agreement is submitted by:** Federal Election Commission

**Creditor Agency:** Federal Election Commission

**Date of Agreement:** December 18, 2008

**The Creditor Agency agrees that:**

- I. This Agreement (henceforth referenced as 'Agreement') covers all debts, including updates, changes, and modifications (Debts) submitted by Electronic Transmission on or after the date of this Agreement, by the Creditor Agency (henceforth referenced as 'Agency') to the Financial Management Service (FMS), a bureau of the U.S. Department of the Treasury, for collection through the FMS's Cross-Servicing Program (Cross-Servicing).;
- II. The Agency will submit debts to Cross-Servicing via Electronic Transmission of "Add Records" or "Update Records," as described in the attached Exhibit A. Each time the Agency submits a Debt via an Add Record or Update Record, the Agency is certifying the Debt;
- III. Any person who submits Debts via an Add Record or Update Record has or will have delegated authority to certify the Debts on behalf of the head of the Agency, and the Agency will provide a copy of this Agreement to any such person; and,
- IV. By submitting Debts via an Add Record or Update Record, the person submitting such Debts is certifying to the U.S. Department of the Treasury, under penalty of perjury pursuant to 5 U.S.C. § 5514, 31 U.S.C. § 3716, 31 U.S.C. § 3720A, and 28 U.S.C. § 1746, that to the best of his or her knowledge and belief, the following is true and correct:
  1. **Valid Debts.** The debts are delinquent, valid and legally enforceable in the amounts stated.
  2. **No Bar to Collection.** The debts are not subject to any circumstances that legally preclude or bar collection, including collection by offset. There are no foreclosures pending with respect to any collateral securing a debt. The Agency's records do not show that any debtor owing a debt has filed for bankruptcy protection. Alternatively, the Agency can clearly establish that any automatic stay has been lifted or is no longer in effect.

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- 29092642388
3. ***Administrative Offset and Tax Refund Offset.*** If the Agency has established a profile instructing FMS to refer debts to the Treasury Offset Program (TOP) on its behalf for the purposes of tax refund and administrative offset, the person submitting such debts will be certifying to the following:
- a. The Agency has complied with all of the provisions of 31 U.S.C. § 3716, 31 U.S.C. § 3720A, 31 C.F.R. §§ 285.2 and 285.5, and the Federal Claims Collection Standards (31 C.F.R. Parts 900-904), as may be amended, as well as other statutes, regulations and policies applicable to collection by administrative offset and tax refund offset. No Debt is more than 10 years delinquent, except for those Debts that may be legally offset if more than 10 years delinquent.
  - b. At least 60 days prior to the date of the certification (i.e., date of Electronic Transmission), the Agency has provided, or made a reasonable attempt to provide in accordance with applicable offset regulations, each debtor with:
    - i. written notification, at the debtor's most current known address, of the nature and the amount of the debt, the intention of the Agency to collect the debt through administrative offset and tax refund offset, including offset of State payments, and an explanation of the rights of the debtor;
    - ii. an opportunity to inspect and copy the records of the Agency with respect to the debt;
    - iii. an opportunity for review within the Agency of the determination of the Agency with respect to the debt, including the opportunity to present evidence that all or part of the debt is not past-due or legally enforceable; and
    - iv. an opportunity to enter into a written repayment agreement with the Agency
  - c. The Agency has considered any evidence presented by the debtor and determined that the amount of the debt is past-due and legally enforceable and there are no pending appeals of such determination.
  - d. The Agency has, at minimum, made the following reasonable efforts to obtain payment of the debt: demanded payment and provided the debtor with the notice and opportunities described in paragraph 3.b.

4. ***Due Process Compliance for Salary Offset.*** With respect to the offset of Federal salaries, if the Agency has authorized FMS to set up an agency profile so that all debts are referred to TOP for offset of federal salary payments:

- a. The Agency has complied with all of the provisions of 5 U.S.C. § 5514, 5 C.F.R. §§ 550.1101-1110, and 31 CFR 285.7, as may be amended, as well as other statutes, regulations and policies applicable to collection by salary offset.
- b. The Agency has provided, or made a reasonable attempt to provide, each debtor with the notice, opportunities, and considerations described in paragraphs 3.B. and 3.C. and the additional notices and opportunities, including the opportunity for waiver consideration and for a hearing, required for salary offset.

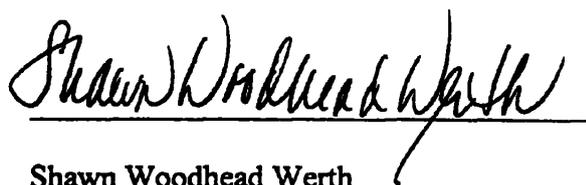
5. ***Consumer Reporting Agencies.*** The Agency has complied with all of the provisions of 31 U.S.C. § 3711(e) and the Federal Claims Collection Standards, as well as other statutes, regulations and policies applicable to the Agency's reporting of delinquent debts to consumer reporting agencies. The Agency has:

- a. determined that the debts are valid and overdue;
- b. notified the debtor, more than 60 days prior to the date of the certification:
  - i. that the debt is overdue,
  - ii. that the Agency intends to disclose to a consumer reporting agency that the debtor is responsible for the debt,
  - iii. of the specific information to be disclosed to the consumer reporting agency, and
  - iv. of the debtor's rights to an explanation of the claim, to dispute the information in the Agency's records about the claim, and to administrative repeal or review of the claim; and
- c. upon the request of a debtor, provided for a review of any debtor's claim, including an opportunity for reconsideration of the initial decision on the claim.

In addition, no debtor has repaid or agreed to repay the claim under a signed repayment agreement or filed for review of the claim.

6. ***Interest and Penalties.*** The Agency has complied with all of the provisions of 31 U.S.C. § 3717 and the Federal Claims Collection Standards, as well as other statutes, regulations and policies applicable to Agency's assessment of interest, penalties and administrative costs. The Agency has mailed or hand-delivered a written notice to all debtors explaining the Agency's requirements concerning the charges.

**CERTIFICATION:** Pursuant to 28 U.S.C. § 1746, I certify that I have been delegated authority to execute this Agreement on behalf of the head of my agency.



Shawn Woodhead Werth

Director, Office of Administrative Review



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1915

DATE SCANNED 10/8/09

SCANNER NO. 2

SCAN OPERATOR EEJ

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