



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2061

DATE SCANNED 10/8/09

SCANNER NO. 2

SCAN OPERATOR ESS

29092642510



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2009 APR -7 P 3:11

April 7, 2009

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ROBERT HICKEY
STAFF DIRECTOR *PH For RAH*

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

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/RHIANNON MAGRUDER/SARI PICKERALL *RM*
COMPLIANCE BRANCH *SP*

SUBJECT: WITHDRAWAL AND RESUBMISSION OF REASON TO BELIEVE
RECOMMENDATION - 2008 YEAR-END REPORT FOR THE
ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2008 Year-End Report in accordance with 2 U.S.C. 434(a). The Year-End Report was due on January 31, 2009.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days but no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

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Recommendation

2. Find reason to believe that all other 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.
3. Send the appropriate letters.

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**Federal Election Commission
Reason to Believe Circulation Report
2008 YEAR-END Not Election Sensitive 01/31/2009 H_S_P_UNAUTH**

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2043	C00444067	ALASKANS FOR CUDDY	CUDDY, DAVID W.	BRUCE E. ELIASEN	\$2,517,748.00	0		Not Filed	\$629,437 (est)	\$10,000
2044	C00446476	AMIT SINGH FOR CONGRESS	SINGH, AMIT KUMAR	WENDY S. REIGHARD	\$123,334.00	0		Not Filed	\$30,834 (est)	\$900
2046	C00436535	BENJAMIN LODMELL FOR US CONGRESS	LODMELL, BENJAMIN	BENJAMIN LODMELL	\$121,932.00	0		Not Filed	\$40,644 (est)	\$900
2047	C00443036	BENNY SHENDO FOR CONGRESS	SHENDO, BENNY, JR.	JOSEPH A. GARCIA	\$321,859.00	0		Not Filed	\$80,465 (est)	\$3,500
2048	C00443762	CARRARO FOR CONGRESS	CARRARO, JOSEPH J.	C. BERT LEDBETTER	\$146,500.00	0		Not Filed	\$36,625 (est)	\$900
2050	C00417972	CHASE FOR SENATE	CHASE, KEN	FRANCIS G. CHASE	\$141,295.00	1		Not Filed	\$20,185 (est)	\$625
2052	C00444208	CITIZENS FOR RAY MCKINNEY	MCKINNEY, RAYMOND J. CO INC	LISA DARLENE MCKINNEY	\$177,090.00	2		Not Filed	\$44,273 (est)	\$1,350
2054	C00453852	COMMITTEE TO ELECT KENYA 2 CONGRESS	SMITH, KENYA J. H.	ROLAND BARTHE	\$188,899.00	0		Not Filed	\$62,966 (est)	\$2,700
2055	C00449876	COMMITTEE TO ELECT MARY WRIGHT	WRIGHT, MARY D.	MARY WRIGHT	\$343,017.00	1		Not Filed	\$57,169 (est)	\$3,375
2056	C00420224	COX 2008 COMMITTEE INC	COX, JOHN H.	CLAREMONT RUFF	\$1,275,764.00	0		Not Filed	\$85,051 (est)	\$3,500

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2058	C00447029	DARIUS FOR CONGRESS	SHAHINFAR, DARIUS	DARIUS SHAHINFAR	\$477,471.00	0	2/18/2009	18	\$7,089	\$140
2059	C00444984	DECUIR FOR CONGRESS	DECUIR, JASON MAURICE	WINSTON G. DECUIR, SR.	\$276,237.00	0		Not Filed	\$69,059 (est)	\$2,700
2061	C00438077	ERIC EGLAND FOR CONGRESS	EGLAND, ERIC IVER	ANIA EGLAND	\$345,400.00	0		Not Filed	\$69,080 (est)	\$2,700
2062	C00294918	FANNIE LOU HAMER FEDERAL POLITICAL ACTION COMMITTEE		EDWIN K. WASHINGTON	\$122,663.00	0		Not Filed	\$17,523 (est)	\$500
2063	C00431049	FINEGOLD COMMITTEE	FINEGOLD, BARRY	TRAVIS M. DROUIN	\$1,957,437.00	1		Not Filed	\$217,493 (est)	\$8,125
2064	C00395392	FRIENDS OF BARBARA FERRIS	FERRIS, BARBARA ANNE	BARBARA ANNE FERRIS	\$139,812.00	0		Not Filed	\$17,477 (est)	\$500
2065	C00444992	FRIENDS OF JOHN STROUP	STROUP, JOHN REA	ERIC LEO FUNK	\$142,927.00	0		Not Filed	\$47,642 (est)	\$900
2067	C00445189	JACKSON FOR CONGRESS	JACKSON, MICHAEL	MURPHY F. BELL JR.	\$429,544.00	0		Not Filed	\$53,693 (est)	\$2,700
2068	C00441444	JENNIFER DOUGHERTY FOR CONGRESS	DOUGHERTY, JENNIFER P.	KATHLEEN D. CASSIDY	\$345,248.00	0		Not Filed	\$49,321 (est)	\$900
2069	C00447052	JIM FORSYTHE FOR CONGRESS	FORSYTHE, JAMES RUSSELL	CHRISTOPHER LAWLESS	\$194,799.00	0		Not Filed	\$64,933 (est)	\$2,700
2070	C00442863	JONELROD.COM	ELROD, JONATHAN ROBERT	JAN MARSHALL	\$397,888.00	0		Not Filed	\$56,841 (est)	\$2,700

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2072	C00001743	LOCAL 1814 INTERNATIONAL LONGSHOREMENS ASSOC AFL-CIO POLITICAL ACTION AND EDUCATION FUND		ANTHONY GRAFFINO	\$206,842.00	0	3/25/2009	Not Filed	\$10,213	\$500
2074	C00409631	LOUISIANA REFORM PAC		JOHN C. SCHMIDT	\$451,239.00	0	2/27/2009	27	\$14,204	\$235
2075	C00443986	MARK ANDERSON FOR CONGRESS	ANDERSON, MARK	KOREY BOALS	\$298,449.00	0		Not Filed	\$59,690 (est)	\$2,700
2076	C00381277	OHIO COAL ASSOCIATION PAC		MICHAEL CAREY	\$182,844.00	0	3/1/2009	29	\$3,471	\$170
2077	C00446799	ONDER FOR CONGRESS	ONDER, ROBERT FRANK, JR.	PHIL ECKELKAMP	\$1,441,485.00	0		Not Filed	\$360,371 (est)	\$9,000
2078	C00165324	PHILADELPHIA JOINT BOARD UNITE HERE TIPS		MILDRED SALDANA	\$153,899.00	0	2/23/2009	23	\$330	\$140
2079	C00442558	PIPKIN FOR CONGRESS	PIPKIN, E. J.	STEPHEN S. HERSHEY, JR.	\$2,150,616.00	0		Not Filed	\$537,654 (est)	\$9,500
2080	C00363812	RECREATIONAL FISHING ALLIANCE, PAC		TONI STEFANO	\$104,891.00	2		Not Filed	\$20,978	\$750
2081	C00449629	REED FOR US SENATE 2008 INC	REED, CHRISTOPHER	KIMBERLY REED	\$117,880.00	0		Not Filed	\$29,470 (est)	\$900
2082	C00433128	RICARDO MUNOZ FOR CONGRESS	MUNOZ, RICARDO	CARMEN FLORES-RANCE	\$690,313.00	0		Not Filed	\$172,578 (est)	\$5,500.00
2083	C00437152	SCONTRAS FOR CONGRESS	SCONTRAS, DEAN P.	JANE E. FAULKNER	\$776,540.00	0		Not Filed	\$129,423 (est)	\$4,500
2085	C00430520	TODD LONG FOR CONGRESS	LONG, WILLIAM TODD	WILLIAM TODD LONG	\$653,524.00	0		Not Filed	\$81,691 (est)	\$3,500

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2086	C00340828	TROVER SOLUTIONS INC		DOUGLAS R. SHARPS	\$104,354.00	0	3/5/2009	Not Filed	\$2,832	\$250
2087	C00403774	UNITED DEMOCRATIC CAMPAIGN OF ALAMEDA COUNTY		KENNETH PON	\$105,456.00	0	2/18/2009	18	\$6,881	\$140
2088	C00451831	WYNE FOR CONGRESS	WYNE, JAMSHAD	MARIA SCHILLACI	\$610,514.00	0		Not Filed	\$203,505 (est)	\$6,500

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Withdrawal and Resubmission of Reason)
To Believe Recommendation - 2008 Year)
End Report for the Administrative Fine)
Program:)
ALASKANS FOR CUDDY, and BRUCE E) AF# 2043
ELIASSEN as treasurer;)
AMIT SINGH FOR CONGRESS, and) AF# 2044
WENDY S REIGHARD as treasurer;)

BENJAMIN LODMELL FOR U S) AF# 2046
CONGRESS, and BENJAMIN LODMELL)
as treasurer;)
BENNY SHENDO FOR CONGRESS, and) AF# 2047
JOSEPH A GARCIA as treasurer;)
CARRARO FOR CONGRESS, and C) AF# 2048
BERT LEDBETTER as treasurer;)

CHASE FOR SENATE, and FRANCIS G) AF# 2050
CHASE as treasurer;)

CITIZENS FOR RAY MCKINNEY, and) AF# 2052
LISA DARLENE MCKINNEY as)
treasurer;)

COMMITTEE TO ELECT KENYA 2) AF# 2054
CONGRESS, and ROLAND BARTHE as)
treasurer;)
COMMITTEE TO ELECT MARY) AF# 2055
WRIGHT, and MARY WRIGHT as)
treasurer;)
COX 2008 COMMITTEE INC, and RUFF,) AF# 2056
CLAREMONT as treasurer;)

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DARIUS FOR CONGRESS, and) AF# 2058
SHAHINFAR, DARIUS as treasurer;)
DECUIR FOR CONGRESS, and) AF# 2059
WINSTON G DECUIR SR as treasurer;)

ERIC EGLAND FOR CONGRESS, and) AF# 2061
EGLAND, ANIA as treasurer;)
FANNIE LOU HAMER FEDERAL) AF# 2062
POLITICAL ACTION COMMITTEE, and)
EDWIN K WASHINGTON as treasurer;)
FINEGOLD COMMITTEE, and TRAVIS) AF# 2063
M DROUIN as treasurer;)
FRIENDS OF BARBARA FERRIS, and) AF# 2064
BARBARA ANNE FERRIS as treasurer;)
FRIENDS OF JOHN STROUP, and ERIC) AF# 2065
LEO FUNK as treasurer;)

JACKSON FOR CONGRESS, and) AF# 2067
MURPHY F BELL JR as treasurer;)
JENNIFER DOUGHERTY FOR) AF# 2068
CONGRESS, and KATHLEEN D)
CASSIDY as treasurer;)
JIM FORSYTHIE FOR CONGRESS, and) AF# 2069
CHRISTOPHER LAWLESS as treasurer;)
JONELROD.COM, and JAN MARSHALL) AF# 2070
as treasurer;)

LOCAL 1814 INTERNATIONAL) AF# 2072
LONGSHOREMENS ASSOC AFL-CIO)
POLITICAL ACTION AND EDUCATION)
FUND, and ANTHONY GRAFFINO as)
treasurer;)

LOUISIANA REFORM PAC, and) AF# 2074
SCHMIDT, JOHN C as treasurer;)
MARK ANDERSON FOR CONGRESS,) AF# 2075
and BOALS, KOREY as treasurer;)

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OIIIO COAL ASSOCIATION PAC, and CAREY^MICHAEL^^ as treasurer;)	AF# 2076
ONDER FOR CONGRESS, and PHIL ECKELKAMP as treasurer;)	AF# 2077
PHILADELPHIA JOINT BOARD UNITE HERE TIPS, and MS MILDRED SALDANA as treasurer;	)	AF# 2078
PIPKIN FOR CONGRESS, and STEPHEN S HERSHEY JR as treasurer;	)	AF# 2079
RECREATIONAL FISHING ALLIANCE, PAC, and TONI STEFANO as treasurer;	)	AF# 2080
REED FOR US SENATE 2008 INC, and KIMBERLY REED as treasurer;	)	AF# 2081
RICARDO MUNOZ FOR CONGRESS, and CARMEN FLORES-RANCE as treasurer;	)	AF# 2082
SCONTRAS FOR CONGRESS, and GORDON A DAVIS as treasurer;	)	AF# 2083
TODD LONG FOR CONGRESS, and LONG, WILLIAM TODD MR. as treasurer;	)	AF# 2085
TROVER SOLUTIONS INC, and DOUGLAS R SHARPS as treasurer;	)	AF# 2086
UNITED DEMOCRATIC CAMPAIGN OF ALAMEDA COUNTY, and KENNETH PON CPA as treasurer;	)	AF# 2087
WYNE FOR CONGRESS, and MARIA SCHILLACI as treasurer;	)	AF# 2088

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on April 08, 2009 the Commission took the following actions on the
Withdrawal and Resubmission of Reason To Believe Recommendation - 2008 Year End
Report for the Administrative Fine Program as recommended in the Reports Analysis
Division's Memorandum dated April 07, 2009, on the following committees:

AF#2043 Decided by a vote of 6-0 to: (1) find reason to believe that ALASKANS FOR CUDDY, and BRUCE E ELIASSEN 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#2044 Decided by a vote of 6-0 to: (1) find reason to believe that AMIT SINGH FOR CONGRESS, and WENDY S REIGHARD 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#2046 Decided by a vote of 6-0 to: (1) find reason to believe that BENJAMIN LODMELL FOR U S CONGRESS, and BENJAMIN LODMELL 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#2047 Decided by a vote of 6-0 to: (1) find reason to believe that BENNY SHENDO FOR CONGRESS, and JOSEPH A GARCIA 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#2048 Decided by a vote of 6-0 to: (1) find reason to believe that CARRARO FOR CONGRESS, and C BERT LEDBETTER 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#2050 Decided by a vote of 6-0 to: (1) find reason to believe that CHASE FOR SENATE, and FRANCIS G CHASE 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#2052 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS FOR RAY MCKINNEY, and LISA DARLENE MCKINNEY 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#2054 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT KENYA 2 CONGRESS, and ROLAND BARTHE 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#2055 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT MARY WRIGHT, and MARY WRIGHT 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#2056 Decided by a vote of 6-0 to: (1) find reason to believe that COX 2008 COMMITTEE INC, and RUFF, CLAREMONT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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

AF#2058 Decided by a vote of 6-0 to: (1) find reason to believe that DARIUS FOR CONGRESS, and SHAHINFAR, DARIUS 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#2059 Decided by a vote of 6-0 to: (1) find reason to believe that DECUIR FOR CONGRESS, and WINSTON G DECUIR SR 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#2061 Decided by a vote of 6-0 to: (1) find reason to believe that ERIC EGLAND FOR CONGRESS, and EGLAND, ANIA 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#2062 Decided by a vote of 6-0 to: (1) find reason to believe that FANNIE LOU HAMER FEDERAL POLITICAL ACTION COMMITTEE, and EDWIN K 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#2063 Decided by a vote of 6-0 to: (1) find reason to believe that FINEGOLD COMMITTEE, and TRAVIS M DROUIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated

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

AF#2064 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF BARBARA FERRIS, and BARBARA ANNE FERRIS 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 Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2065 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF JOHN STROUP, and ERIC LEO FUNK 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 Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2067 Decided by a vote of 6-0 to: (1) find reason to believe that JACKSON FOR CONGRESS, and MURPHY F BELL JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2068 Decided by a vote of 6-0 to: (1) find reason to believe that JENNIFER DOUGHERTY FOR CONGRESS, and KATHLEEN D CASSIDY 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 Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2069 Decided by a vote of 6-0 to: (1) find reason to believe that JIM FORSYTHE FOR CONGRESS, and CHRISTOPHER LAWLESS 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 Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2070 Decided by a vote of 6-0 to: (1) find reason to believe that JONELROD.COM, and JAN MARSHALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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

AF#2072 Decided by a vote of 6-0 to: (1) find reason to believe that LOCAL 1814 INTERNATIONAL LONGSHOREMENS ASSOC AFL-CIO POLITICAL ACTION AND EDUCATION FUND, and ANTHONY GRAFFINO 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#2074 Decided by a vote of 6-0 to: (1) find reason to believe that LOUISIANA REFORM PAC, and SCHMIDT, JOHN C 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#2075 Decided by a vote of 6-0 to: (1) find reason to believe that MARK ANDERSON FOR CONGRESS, and BOALS, KOREY 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#2076 Decided by a vote of 6-0 to: (1) find reason to believe that OHIO COAL ASSOCIATION PAC, and CAREY^MICHAEL^^ 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#2077 Decided by a vote of 6-0 to: (1) find reason to believe that ONDER FOR CONGRESS, and PHIL ECKELKAMP as treasurer violated 2 U.S.C. 434(a) and make a

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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#2078 Decided by a vote of 6-0 to: (1) find reason to believe that PHILADELPHIA JOINT BOARD UNITE HERE TIPS, and MS MILDRED SALDANA 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#2079 Decided by a vote of 6-0 to: (1) find reason to believe that PIPKIN FOR CONGRESS, and STEPHEN S HERSHEY JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2080 Decided by a vote of 6-0 to: (1) find reason to believe that RECREATIONAL FISHING ALLIANCE, PAC, and TONI STEFANO 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#2081 Decided by a vote of 6-0 to: (1) find reason to believe that REED FOR US SENATE 2008 INC, and KIMBERLY REED 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#2082 Decided by a vote of 6-0 to: (1) find reason to believe that RICARDO MUNOZ FOR CONGRESS, and CARMEN FLORES-RANCE 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#2083 Decided by a vote of 6-0 to: (1) find reason to believe that SCONTRAS FOR CONGRESS, and GORDON A DAVIS 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#2085 Decided by a vote of 6-0 to: (1) find reason to believe that TODD LONG FOR CONGRESS, and LONG, WILLIAM TODD MR. as treasurer violated 2 U.S.C.

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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#2086 Decided by a vote of 6-0 to: (1) find reason to believe that TROVER SOLUTIONS INC, and DOUGLAS R SHARPS 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#2087 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED DEMOCRATIC CAMPAIGN OF ALAMEDA COUNTY, and KENNETH PON 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#2088 Decided by a vote of 6-0 to: (1) find reason to believe that WYNE FOR CONGRESS, and MARIA SCHILLACI 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:

April 8, 2009
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 13, 2009

Ania Eglund as Treasurer
Eric Eglund for Congress
2351 Sunset Blvd., Suite 170-449
Rocklin, CA 95765

C00438077
AF#: 2061

Dear Ania Eglund:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year End Report of Receipts and Disbursements every calendar year. This report, covering the period through December 31, 2008, was due no later than January 31, 2009. 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 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 April 8, 2009, the FEC found that there is reason to believe ("RTB") that Eric Eglund for Congress and you as treasurer violated 2 U.S.C. § 434(a) by failing to file timely this report on or before January 31, 2009. 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 \$2,700. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-11.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment is due within forty (40) days of the finding, or by May 18, 2009, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$69,080
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

To Pay the Calculated Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

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

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found on page one, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or May 18, 2009. 11 C.F.R. § 111.35(a). 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. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, 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. 11 C.F.R. § 111.35(c). 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. 11 C.F.R. § 111.35(d). 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. § 111.36(c).

Pursuant to the Commission's regulations, the "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the 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 Eric Egland 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.

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This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact 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.

On behalf of the Commission,



Steven T. Walther
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 \$2,700 for the 2008 Year-End Report.

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

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

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

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

The remittance and your payment are due by May 18, 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

FOR: Eric Eglund for Congress

FEC ID#: C00438077

AF#: 2061

PAYMENT DUE DATE: May 18, 2009

PAYMENT AMOUNT DUE: \$2,700

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penalty shall not exceed the greater of \$11,000 or an amount equal to 200% of any contribution or expenditure involved in the violation.

(1) Notwithstanding paragraph (a)(2)(i) of this section, in the case of a knowing and willful violation of 2 U.S.C. 441f, the civil penalty shall not be less than 300% of the amount of any contribution involved in the violation and shall not exceed the greater of \$55,000 or 1,000% of the amount of any contribution involved in the violation.

(b) Any Commission member or employee, or any other person, who in violation of 2 U.S.C. 437g(a)(12)(A) makes public any notification or investigation under 2 U.S.C. 437g without receiving the written consent of the person receiving such notification, or the person with respect to whom such investigation is made, shall be fined not more than \$2,200. Any such member, employee, or other person who knowingly and willfully violates this provision shall be fined not more than \$6,500.

[62 FR 11317, Mar. 12, 1997; 62 FR 18167, Apr. 14, 1997; 65 FR 31794, May 19, 2000; 67 FR 76977, Dec. 13, 2002; 70 FR 34635, June 15, 2005]

Subpart B—Administrative Fines

SOURCE: 65 FR 31794, May 19, 2000, unless otherwise noted.

§ 111.30 When will subpart B apply?

Subpart B applies to violations of the reporting requirements of 2 U.S.C. 434(a) committed by political committees and their treasurers that relate to the reporting periods that begin on or after July 14, 2000 and end on or before December 31, 2008. This subpart, however, does not apply to reports that were due between January 1, 2004 and February 10, 2004 and that relate to reporting periods that begin and end between January 1, 2004 and February 10, 2004.

[70 FR 75718, Dec. 21, 2005]

§ 111.31 Does this subpart replace subpart A of this part for violations of the reporting requirements of 2 U.S.C. 434(a)?

(a) No: §§ 111.1 through 111.8 and 111.20 through 111.24 shall apply to all compliance matters. This subpart will

apply, rather than §§ 111.9 through 111.19, when the Commission, on the basis of information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities, and when appropriate, determines that the compliance matter should be subject to this subpart. If the Commission determines that the violation should not be subject to this subpart, then the violation will be subject to all sections of subpart A of this part.

(b) Subpart B will apply to compliance matters resulting from a complaint filed pursuant to 11 CFR 111.4 through 111.7 if the complaint alleges a violation of 2 U.S.C. 434(a). If the complaint alleges violations of any other provision of any statute or regulation over which the Commission has jurisdiction, subpart A will apply to the alleged violations of these other provisions.

§ 111.32 How will the Commission notify respondents of a reason to believe finding and a proposed civil money penalty?

If the Commission determines, by an affirmative vote of at least four (4) of its members, that it has reason to believe that a respondent has violated 2 U.S.C. 434(a), the Chairman or Vice-Chairman shall notify such respondent of the Commission's finding. The written notification shall set forth the following:

(a) The alleged factual and legal basis supporting the finding including the type of report that was due, the filing deadline, the actual date filed (if filed), and the number of days the report was late (if filed);

(b) The applicable schedule of penalties;

(c) The number of times the respondent has been assessed a civil money penalty under this subpart during the current two-year election cycle and the prior two-year election cycle;

(d) The amount of the proposed civil money penalty based on the schedules of penalties set forth in 11 CFR 111.43 or 111.44; and

(e) An explanation of the respondent's right to challenge both the reason to believe finding and the proposed civil money penalty.

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§ 111.33

§ 111.33 What are the respondent's choices upon receiving the reason to believe finding and the proposed civil money penalty?

The respondent must either send payment in the amount of the proposed civil money penalty pursuant to 11 CFR 111.34 or submit a written response pursuant to 11 CFR 111.35.

§ 111.34 If the respondent decides to pay the civil money penalty and not to challenge the reason to believe finding, what should the respondent do?

(a) The respondent shall transmit payment in the amount of the civil money penalty to the Commission within forty (40) days of the Commission's reason to believe finding.

(b) Upon receipt of the respondent's payment, the Commission shall send the respondent a final determination that the respondent has violated the statute or regulations and the amount of the civil money penalty and an acknowledgment of the respondent's payment.

§ 111.35 If the respondent decides to challenge the alleged violation or proposed civil money penalty, what should the respondent do?

(a) To challenge a reason to believe finding or proposed civil money penalty, the respondent must submit a written response to the Commission within forty (40) days of the Commission's reason to believe finding.

(b) The respondent's written response must assert at least one of the following grounds for challenging the reason to believe finding or proposed civil money penalty:

(1) The Commission's reason to believe finding is based on a factual error including, but not limited to, the committee was not required to file the report, or the committee timely filed the report in accordance with 11 CFR 100.19;

(2) The Commission improperly calculated the civil money penalty; or

(3) The respondent used best efforts to file in a timely manner in that:

(i) The respondent was prevented from filing in a timely manner by reasonably unforeseen circumstances that were beyond the control of the respondent; and

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(ii) The respondent filed no later than 24 hours after the end of these circumstances.

(c) Circumstances that will be considered reasonably unforeseen and beyond the control of respondent include, but are not limited to:

(1) A failure of Commission computers or Commission-provided software despite the respondent seeking technical assistance from Commission personnel and resources;

(2) A widespread disruption of information transmissions over the Internet not caused by any failure of the Commission's or respondent's computer systems or Internet service provider; and

(3) Severe weather or other disaster-related incident.

(d) Circumstances that will not be considered reasonably unforeseen and beyond the control of respondent include, but are not limited to:

(1) Negligence;

(2) Delays caused by committee vendors or contractors;

(3) Illness, inexperience, or unavailability of the treasurer or other staff;

(4) Committee computer, software or Internet service provider failures;

(5) A committee's failure to know filing dates; and

(6) A committee's failure to use filing software properly.

(e) Respondent's written response must detail the factual basis supporting its challenge and include supporting documentation.

[72 FR 14667, Mar. 29, 2007]

§ 111.36 Who will review the respondent's written response?

(a) A reviewing officer shall review the respondent's written response. The reviewing officer shall be a person who has not been involved in the reason to believe finding.

(b) The reviewing officer shall review the reason to believe finding with supporting documentation and the respondent's written response with supporting documentation. The reviewing officer may request supplemental information from the respondent and/or the Commission staff. The respondent shall submit the supplemental information to the reviewing officer within

a time specified by the reviewing officer. The reviewing officer will be entitled to draw an adverse inference from the failure by the respondent to submit the supplemental information.

(c) All documents required to be submitted by the respondents pursuant to this section and § 111.35 should be submitted in the form of affidavits or declarations.

(d) If the Commission staff, after the respondent files a written response pursuant to § 111.35, forwards any additional documents pertaining to the matter to the reviewing officer for his or her examination, the reviewing officer shall also furnish a copy of the document(s) to the respondents.

(e) Upon completion of the review, the reviewing officer shall forward a written recommendation to the Commission along with all documents required under this section and 11 CFR 111.32 and 111.35.

(f) The reviewing office shall also forward a copy of the recommendation to the respondent. The respondent may file with the Commission Secretary a written response to the recommendation within ten (10) days of transmittal of the recommendation. This response may not raise any arguments not raised in the respondent's original written response or not directly responsive to the reviewing officer's recommendation.

§ 111.37 What will the Commission do once it receives the respondent's written response and the reviewing officer's recommendation?

(a) If the Commission, after having found reason to believe and after reviewing the respondent's written response and the reviewing officer's recommendation, determines by an affirmative vote of at least four (4) of its members, that the respondent has violated 2 U.S.C. 434(a) and the amount of the civil money penalty, the Commission shall authorize the reviewing officer to notify the respondent by letter of its final determination.

(b) If the Commission, after reviewing the reason to believe finding, the respondent's written response, and the reviewing officer's written recommendation, determines by an affirmative vote of at least four (4) of its

members, that no violation has occurred (either because the Commission had based its reason to believe finding on a factual error or because the respondent used best efforts to file in a timely manner) or otherwise terminates its proceedings, the Commission shall authorize the reviewing officer to notify the respondent by letter of its final determination.

(c) The Commission will modify the proposed civil money penalty only if the respondent is able to demonstrate that the amount of the proposed civil money penalty was calculated on an incorrect basis.

(d) When the Commission makes a final determination under this section, the statement of reasons for the Commission action will, unless otherwise indicated by the Commission, consist of the reasons provided by the reviewing officer for the recommendation, if approved by the Commission, although statements setting forth additional or different reasons may also be issued. If the reviewing officer's recommendation is modified or not approved, the Commission will indicate the grounds for its action and one or more statements of reasons may be issued.

[65 FR 31794, May 19, 2000, as amended at 72 FR 14688, Mar. 29, 2007]

§ 111.38 Can the respondent appeal the Commission's final determination?

Yes; within thirty (30) days of receipt of the Commission's final determination under 11 CFR 111.37; the respondent may submit a written petition to the district court of the United States for the district in which the respondent resides, or transacts business, requesting that the final determination be modified or set aside. The respondent's failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondent's right to present such argument in a petition to the district court under 2 U.S.C. 437g.

§ 111.39 When must the respondent pay the civil money penalty?

(a) If the respondent does not submit a written petition to the district court of the United States, the respondent must remit payment of the civil money

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§ 111.40

penalty within thirty (30) days of receipt of the Commission's final determination under 11 CFR 111.37.

(b) If the respondent submits a written petition to the district court of the United States and, upon the final disposition of the civil action, is required to pay a civil money penalty, the respondent shall remit payment of the civil money penalty to the Commission within thirty (30) days of the final disposition of the civil action. The final disposition may consist of a judicial decision which is not reviewed by a higher court.

(c) Failure to pay the civil money penalty may result in the commencement of collection action under 31 U.S.C. 3701 *et seq.* (1996), or a civil suit pursuant to 2 U.S.C. 437g(a)(6)(A), or any other legal action deemed necessary by the Commission.

§ 111.40 What happens if the respondent does not pay the civil money penalty pursuant to 11 CFR 111.34 and does not submit a written response to the reason to believe finding pursuant to 11 CFR 111.35?

(a) If the Commission, after the respondent has failed to pay the civil money penalty and has failed to submit a written response, determines by an affirmative vote of at least four (4) of its members that the respondent has violated 2 U.S.C. 434(a) and determines the amount of the civil money penalty, the respondent shall be notified by letter of its final determination.

(b) The respondent shall transmit payment of the civil money penalty to the Commission within thirty (30) days of receipt of the Commission's final determination.

(c) Failure to pay the civil money penalty may result in the commencement of collection action under 31 U.S.C. 3701 *et seq.* (1996), or a civil suit pursuant to 2 U.S.C. 437g(a)(6)(A), or any other legal action deemed necessary by the Commission.

§ 111.41 To whom should the civil money penalty payment be made payable?

Payment of civil money penalties shall be made in the form of a check or

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money order made payable to the Federal Election Commission.

§ 111.42 Will the enforcement file be made available to the public?

(a) Yes; the Commission shall make the enforcement file available to the public.

(b) If neither the Commission nor the respondent commences a civil action, the Commission shall make the enforcement file available to the public pursuant to 11 CFR 4.4(a)(3).

(c) If a civil action is commenced, the Commission shall make the enforcement file available pursuant to 11 CFR 111.20(c).

§ 111.43 What are the schedules of penalties?

(a) The civil money penalty for all reports that are filed late or not filed, except election sensitive reports and pre-election reports under 11 CFR 104.5, shall be calculated as follows:

(1) For reports due before April 16, 2003:

(i) *Level of activity* means the total amount of receipts and disbursements for the period covered by the late report. If the report is not filed, the level of activity is the estimated level of activity as set forth in paragraph (a)(1)(ii) of this section.

(ii) *Estimated level of activity* means total receipts and disbursements reported in the current two-year election cycle divided by the number of reports filed to date covering the activity in the current two-year election cycle. If the respondent has not filed a report covering activity in the current two-year election cycle, estimated level of activity means total receipts and disbursements reported in the prior two-year election cycle divided by the number of reports filed covering the activity in the prior two-year election cycle.

(iii) The civil money penalty shall be calculated in accordance with the following schedule:

If the level of activity in the report was:	And the report was filed late, the civil money penalty is:	Or the report was not filed, the civil money penalty is:
\$1-24,999.99 *	[\$100 + (\$25 x Number of days late)] x [1 + (.25 x Number of previous violations)].	+\$900 x [1 + (.25 x Number of previous violations)]
\$25,000-49,999.99	[\$200 + (\$50 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$1800 x [1 + (.25 x Number of previous violations)]
\$50,000-74,999.99	[\$300 + (\$75 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$2700 x [1 + (.25 x Number of previous violations)]
\$75,000-99,999.99	[\$400 + (\$100 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$3500 x [1 + (.25 x Number of previous violations)]
\$100,000-149,999.99	[\$600 + (\$125 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$4500 x [1 + (.25 x Number of previous violations)]
\$150,000-199,999.99	[\$800 + (\$150 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$5500 x [1 + (.25 x Number of previous violations)]
\$200,000-249,999.99	[\$1,000 + (\$175 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$6500 x [1 + (.25 x Number of previous violations)]
\$250,000-349,999.99	[\$1500 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$8000 x [1 + (.25 x Number of previous violations)]
\$350,000-449,999.99	[\$2000 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$9000 x [1 + (.25 x Number of previous violations)]
\$450,000-549,999.99	[\$2600 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$9500 x [1 + (.25 x Number of previous violations)]
\$550,000-649,999.99	[\$3000 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$10,000 x [1 + (.25 x Number of previous violations)]
\$650,000-749,999.99	[\$3500 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$10,600 x [1 + (.25 x Number of previous violations)]
\$750,000-849,999.99	[\$4000 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$11,000 x [1 + (.25 x Number of previous violations)]
\$850,000-949,999.99	[\$4500 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$11,500 x [1 + (.25 x Number of previous violations)]
\$950,000 or over	[\$6000 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$12,000 x [1 + (.25 x Number of previous violations)]

*The civil money penalty for a respondent who does not have any previous violations will not exceed the level of activity in the report.

(2) For reports due on or after April 18, 2003:

(i) *Level of activity* means:

(A) For an authorized committee, the total amount of receipts and disbursements for the period covered by the late report. If the report is not filed, the level of activity is the estimated level of activity as set forth in paragraph (a)(2)(ii)(A) of this section.

(B) For an unauthorized committee, the total amount of receipts and disbursements for the period covered by the late report minus the total of: transfers received from non-Federal account(s) as reported on Line 18(a) of FEC Form 3X and disbursements for the non-Federal share of operating expenditures attributable to allocated Federal/non-Federal activity as reported on Line 21(a)(ii) of FEC Form 3X for the period covered by the late report. If the report is not filed, the level of activity is the estimated level of activity as set forth in paragraph (a)(2)(ii)(B) of this section.

(ii) *Estimated level of activity* means:

(A) For an authorized committee, total receipts and disbursements re-

ported in the current two-year election cycle divided by the number of reports filed to date covering the activity in the current two-year election cycle. If the respondent has not filed a report covering activity in the current two-year election cycle, estimated level of activity for an authorized committee means total receipts and disbursements reported in the prior two-year election cycle divided by the number of reports filed covering the activity in the prior two-year election cycle.

(B)(i) For an unauthorized committee, estimated level of activity is calculated as follows: [(Total receipts and disbursements reported in the current two-year cycle) - (Transfers received from non-Federal account(s) as reported on either Line 18(a) of FEC Form 3X or Line 18 of FEC Form 3X before March 1, 2003 + Disbursements for the non-Federal share of operating expenditures attributable to allocated Federal/non-Federal activity as reported on Line 21(a)(ii) of FEC Form 3X)] + Number of reports filed to date covering the activity in the current two-year election cycle.

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(2) If the unauthorized committee has not filed a report covering activity in the current two-year election cycle, the estimated level of activity is calculated as follows: [(Total receipts and disbursements reported in the prior two-year election cycle)—(Transfers received from non-Federal account(s) as reported on either Line 18(a) of FEC Form 3X or Line 18 of FEC Form 3X if before March 1, 2003 + Disbursements

for the non-Federal Share of operating expenditures attributable to allocated Federal/non-Federal activity as reported on Line 21(a)(ii) of FEC Form 3X) + Number of reports filed covering the activity in the prior two-year election cycle.

(iii) The civil money penalty shall be calculated in accordance with the following schedule:

If the level of activity in the report was:	And the report was filed late, the civil money penalty is:	Or the report was not filed, the civil money penalty is:
\$1-4,999.99*	[\$25 + (\$5 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$250 x [1 + (.25 x Number of previous violations)]
\$5,000-9,999.99	[\$50 + (\$5 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$300 x [1 + (.25 x Number of previous violations)]
\$10,000-24,999.99	[\$100 + (\$5 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$500 x [1 + (.25 x Number of previous violations)]
\$25,000-49,999.99	[\$200 + (\$20 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$900 x [1 + (.25 x Number of previous violations)]
\$50,000-74,999.99	[\$300 + (\$75 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$2700 x [1 + (.25 x Number of previous violations)]
\$75,000-99,999.99	[\$400 + (\$100 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$3600 x [1 + (.25 x Number of previous violations)]
\$100,000-149,999.99	[\$600 + (\$125 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$4500 x [1 + (.25 x Number of previous violations)]
\$150,000-199,999.99	[\$800 + (\$150 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$5500 x [1 + (.25 x Number of previous violations)]
\$200,000-249,999.99	[\$1,000 + (\$175 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$6500 x [1 + (.25 x Number of previous violations)]
\$250,000-349,999.99	[\$1600 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$8000 x [1 + (.25 x Number of previous violations)]
\$350,000-449,999.99	[\$2000 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$9000 x [1 + (.25 x Number of previous violations)]
\$450,000-549,999.99	[\$2500 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$9500 x [1 + (.25 x Number of previous violations)]
\$550,000-649,999.99	[\$3000 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$10,000 x [1 + (.25 x Number of previous violations)]
\$650,000-749,999.99	[\$3600 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$10,500 x [1 + (.25 x Number of previous violations)]
\$750,000-849,999.99	[\$4000 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$11,000 x [1 + (.25 x Number of previous violations)]
\$850,000-949,999.00	[\$4500 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$11,500 x [1 + (.25 x Number of previous violations)]
\$950,000 or over	[\$5000 + (\$200 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$12,000 x [1 + (.25 x Number of previous violations)]

*The civil money penalty for a respondent who does not have any previous violations will not exceed the level of activity in the report.

(b) The civil money penalty for election sensitive reports that are filed late or not filed shall be calculated as follows:

(i) For reports due before April 16, 2003:

(i) *Level of activity* has the same meaning as paragraph (a)(1)(i) of this section.

(ii) *Estimated level of activity* has the same meaning as paragraph (a)(1)(ii) of this section.

(iii) The civil money penalty shall be calculated in accordance with the following schedule:

If the level of activity in the report was:	And the report was filed late, the civil money penalty is:	Or the report was not filed, the civil money penalty is:
\$1-24,999.99*	[\$150 + (\$25 x Number of days late)] x [1 + (.25 x Number of previous violations)].	\$1000 x [1 + (.25 x Number of previous violations)]

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If the level of activity in the report was:	And the report was filed late, the civil money penalty is:	Or the report was not filed, the civil money penalty is:
\$25,000-49,999.99	$[\$300 + (\$50 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$2000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$50,000-74,999.99	$[\$450 + (\$75 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$3000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$75,000-99,999.99	$[\$600 + (\$100 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$4000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$100,000-149,999.99	$[\$800 + (\$125 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$5000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$150,000-199,999.99	$[\$1200 + (\$150 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$6000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$200,000-249,999.99	$[\$1500 + (\$175 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$7500 \times [1 + (.25 \times \text{Number of previous violations})]$
\$250,000-349,999.99	$[\$2250 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$8000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$350,000-449,999.99	$[\$3000 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$10,000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$450,000-549,999.99	$[\$3750 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$11,000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$550,000-649,999.99	$[\$4500 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$12,000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$650,000-749,999.99	$[\$5250 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$13,000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$750,000-849,999.99	$[\$6000 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$14,000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$850,000-949,999.99	$[\$6750 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$15,000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$950,000 or over	$[\$7500 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$16,000 \times [1 + (.25 \times \text{Number of previous violations})]$

* The civil money penalty for a respondent who does not have any previous violations will not exceed the level of activity in the report.

(2) For reports due on or after April 16, 2003:

(i) Level of activity has the same meaning as paragraph (a)(2)(i) of this section.

(ii) Estimated level of activity has the same meaning as paragraph (a)(2)(ii) of this section.

(iii) The civil money penalty shall be calculated in accordance with the following schedule:

If the level of activity in the report was:	And the report was filed late, the civil money penalty is:	Or the report was not filed, the civil money penalty is:
\$1-\$4,999.99*	$[\$50 + (\$10 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$500 \times [1 + (.25 \times \text{Number of previous violations})]$
\$5,000-\$9,999.99	$[\$100 + (\$10 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$600 \times [1 + (.25 \times \text{Number of previous violations})]$
\$10,000-\$24,999.99	$[\$180 + (\$10 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$800 \times [1 + (.25 \times \text{Number of previous violations})]$
\$25,000-\$49,999.99	$[\$300 + (\$25 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$1,400 \times [1 + (.25 \times \text{Number of previous violations})]$
\$50,000-\$74,999.99	$[\$480 + (\$75 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$3000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$75,000-\$99,999.99	$[\$600 + (\$100 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$4000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$100,000-\$149,999.99	$[\$800 + (\$125 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$5000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$150,000-\$199,999.99	$[\$1200 + (\$150 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$6000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$200,000-\$249,999.99	$[\$1800 + (\$175 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$7800 \times [1 + (.25 \times \text{Number of previous violations})]$
\$250,000-\$349,999.99	$[\$2250 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$9000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$350,000-\$449,999.99	$[\$3000 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$10,000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$450,000-\$549,999.99	$[\$3750 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$11,000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$550,000-\$649,999.99	$[\$4500 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$12,000 \times [1 + (.25 \times \text{Number of previous violations})]$
\$650,000-\$749,999.99	$[\$5250 + (\$200 \times \text{Number of days late})] \times [1 + (.25 \times \text{Number of previous violations})]$	$\$13,000 \times [1 + (.25 \times \text{Number of previous violations})]$

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If the level of activity in the report was:	And the report was filed late, the civil money penalty is:	Or the report was not filed, the civil money penalty is:
\$750,000-849,999.99	$[\$6000 + (\$200 \times \text{Number of days late}) \times [1 + (.25 \times \text{Number of previous violations})].$	$\$14,000 \times [1 + (.25 \times \text{Number of previous violations})].$
\$850,000-949,999.99	$[\$6750 + (\$200 \times \text{Number of days late}) \times [1 + (.25 \times \text{Number of previous violations})].$	$\$15,000 \times [1 + (.25 \times \text{Number of previous violations})].$
\$950,000 or over	$[\$7500 + (\$200 \times \text{Number of days late}) \times [1 + (.25 \times \text{Number of previous violations})].$	$\$16,000 \times [1 + (.25 \times \text{Number of previous violations})].$

* The civil money penalty for a respondent who does not have any previous violations will not exceed the level of activity in the report.

(c) If the respondent fails to file a required report and the Commission cannot calculate the level of activity under paragraph (d) of this section, then the civil money penalty shall be \$5,500.

(d) *Definitions.* For this section only, the following definitions will apply:

Election Sensitive Reports means third quarter reports due on October 15th before the general election (for all committees required to file this report except committees of candidates who do not participate in that general election); monthly reports due October 20th before the general election (for all committees required to file this report except committees of candidates who do not participate in that general election); and pre-election reports for primary, general, and special elections under 11 CFR 104.5.

Number of previous violations mean all prior final civil money penalties assessed under this subpart during the current two-year election cycle and the prior two-year election cycle.

(e) For purposes of the schedules of penalties in paragraphs (a) and (b) of this section,

(1) Reports that are not election sensitive reports are considered to be filed late if they are filed after their due dates but within thirty (30) days of their due dates. These reports are considered to be not filed if they are filed after thirty (30) days of their due dates or not filed at all.

(2) Election sensitive reports are considered to be filed late if they are filed after their due dates but prior to four (4) days before the primary election for pre-primary reports, prior to four (4) days before the special election for pre-special election reports, or prior to four (4) days before the general election for all other election sensitive reports. These reports are considered to

be not filed if they are not filed prior to four (4) days before the primary election for pre-primary reports, prior to four (4) days before the special election for pre-special election reports or prior to four (4) days before the general election for all other election sensitive reports.

[65 FR 31794, May 19, 2000, as amended at 68 FR 12577, Mar. 17, 2003; 70 FR 34636, June 15, 2005]

§ 111.44 What is the schedule of penalties for 48-hour notices that are not filed or are filed late?

(a) If the respondent fails to file timely a notice regarding contribution(s) received after the 20th day but more than 48 hours before the election as required under 2 U.S.C. 434(a)(6), the civil money penalty will be calculated as follows:

(1) Civil money penalty = $\$110 + (.10 \times \text{amount of the contribution(s) not timely reported})$.

(2) The civil money penalty calculated in paragraph (a)(1) of this section shall be increased by twenty-five percent (25%) for each prior violation.

(b) For purposes of this section, prior violation means a civil money penalty that has been assessed against the respondent under this subpart in the current two-year election cycle or the prior two-year election cycle.

[65 FR 31794, May 19, 2000, as amended at 70 FR 34636, June 15, 2005]

§ 111.45 What actions will be taken to collect unpaid civil money penalties?

The Commission may take any and all appropriate collection actions authorized and required by the Debt Collection Act of 1982, as amended by the Debt Collection Improvement Act of 1996 (31 U.S.C. 3701 et. seq.). The U.S.

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Department of the Treasury regulations at 31 CFR 285.2, 285.4, and 285.7 and the Federal Claims Collection Standards issued jointly by the Department of Justice and the U.S. Department of the Treasury at 31 CFR parts 900 through 904 also apply.

[65 FR 31794, May 19, 2000, as amended at 68 FR 12580, Mar. 17, 2003; 68 FR 16715, Apr. 7, 2003]

§ 111.46 How will the respondent be notified of actions taken by the Commission and the reviewing officer?

If a statement designating counsel has been filed in accordance with 11 CFR 111.23, all notifications and other communications to a respondent provided for in subpart B of this part will be sent to designated counsel. If a statement designating counsel has not been filed, all notifications and other communications to a respondent provided for in subpart B of this part will be sent to respondent political committee and its treasurer at the political committee's address as listed in the most recent Statement of Organization, or amendment thereto, filed with the Commission in accordance with 11 CFR 102.2.

[68 FR 12580, Mar. 17, 2003]

PART 112—ADVISORY OPINIONS (2 U.S.C. 437f)

Sec.

112.1 Requests for advisory opinions (2 U.S.C. 437f(a)(1)).

112.2 Public availability of requests (2 U.S.C. 437f(d)).

112.3 Written comments on requests (2 U.S.C. 437f(d)).

112.4 Issuance of advisory opinions (2 U.S.C. 437f (a) and (b)).

112.5 Reliance on advisory opinions (2 U.S.C. 437f(c)).

112.6 Reconsideration of advisory opinions.

AUTHORITY: 2 U.S.C. 437f, 438(a)(8).

SOURCE: 45 FR 15123, Mar. 7, 1980, unless otherwise noted.

§ 112.1 Requests for advisory opinions (2 U.S.C. 437f(a)(1)).

(a) Any person may request in writing an advisory opinion concerning the application of the Act, chapters 95 or 96 of the Internal Revenue Code of 1954, or

any regulation prescribed by the Commission. An authorized agent of the requesting person may submit the advisory opinion request, but the agent shall disclose the identity of his or her principal.

(b) The written advisory opinion request shall set forth a specific transaction or activity that the requesting person plans to undertake or is presently undertaking and intends to undertake in the future. Requests presenting a general question of interpretation, or posing a hypothetical situation, or regarding the activities of third parties, do not qualify as advisory opinion requests.

(c) Advisory opinion requests shall include a complete description of all facts relevant to the specific transaction or activity with respect to which the request is made.

(d) The Office of General Counsel shall review all requests for advisory opinions submitted under 11 CFR 112.1. If the Office of General Counsel determines that a request for an advisory opinion is incomplete or otherwise not qualified under 11 CFR 112.1, it shall, within 10 calendar days of receipt of such request, notify the requesting person and specify the deficiencies in the request.

(e) Advisory opinion requests should be sent to the Federal Election Commission, Office of General Counsel, 999 E Street, NW., Washington, DC 20463.

(f) Upon receipt by the Commission, each request which qualifies as an advisory opinion request (AOR) under 11 CFR 112.1 shall be assigned an AOR number for reference purposes.

[45 FR 15123, Mar. 7, 1980, as amended at 50 FR 50778, Dec. 12, 1985]

§ 112.2 Public availability of requests (2 U.S.C. 437f(d)).

(a) Advisory opinion requests which qualify under 11 CFR 112.1 shall be made public at the Commission promptly upon their receipt.

(b) A copy of the original request and any supplements thereto, shall be available for public inspection and purchase at the Public Disclosure Division of the Commission.

FEC Office of Administrative Review
999 E Street NW
Washington DC 20463

29 Mar 09

Major Eric Eglend (Reserve)
J3/5
APO AE 09348

FEC OFFICE OF
ADMIN REVIEW
2009 MAY 18 P 02:39

Dear FEC,

Please accept this letter as a challenge to AF#2061 on behalf of Eric Eglend for Congress, C00438077. The reason for the late submission of termination report is that I was prevented by unforeseen circumstances beyond my control. Though I used practices previously successful, my attempt failed because it was from overseas, in Baghdad, Iraq, where I currently serve.

When I called the FEC help desk, they explained that online submissions originating from overseas are not allowed through FEC File. The representative said the standard operating procedure in such a case is to email the submission to the supporting contractor, and gave me the email address techsupport@nicusa.com, where I promptly submitted the form (screen capture 1) below before the 31 Jan 08 deadline on the west coast (time zone change to Baghdad accounts for the date/time stamp on the email). I then followed up with a phone call to confirm that the email and attached report was received before the deadline. At that point, I considered the report successfully submitted and received.

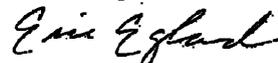
It was not until I received an email notice in mid-April saying that my 2009 first quarterly report had not been received that I realized a problem existed(screen capture 2 below). Had the termination report been processed, the account would be closed and no quarterly reports due. I promptly called FEC, which notified me that the account was still open and of a possible fine.

Thus, I respectfully request that the FEC accept the attached Form 3 that shows the three transactions for the last three months of 2008—\$228 in interest gained, a \$500 contribution to a qualified campaign committee, and the termination donation to a federally-recognized 501c3 charity to close out the campaign account. If administrative termination is needed to close out the account, then I ask that the FEC take that action.

I also ask that any possible fine be waived, since I complied with all regulations to the best of my ability, gained no advantage since the campaign had suspended campaign activities nearly one year prior in early 2008 and was not on the ballot in the general election.

Since I am still overseas and mail service is unreliable, please use the email address
for correspondence. Thank you for your consideration.

Sincerely,



Major Eric Eglend (Reserve)

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Windows Live Internet Explorer provided by MRE TCS

http://mail.live.com/default.aspx?wa=wsignin1.0

File Edit View Favorites Tools Help

Links @ Custom Links @ Inbox (112)

Windows Live Internet

Windows Live Search the web

Hotmail New Delete Junk Mark as Move to POP Messenger Options

egland@hotmail.com Reply Reply all Forward

Inbox (173) Junk (1) Drafts (57) Sent (172) Deleted (178) 646 L SL (75)

aa Citizen Solutions
 aa Classified Cor...
 aa Consulting (3)
 aa Donors
 aa Elence Guru B...
 aa HTT (24)
 aa IMA (31)
 aa McClintock (13)
 aa NOMY
 aa PAC (7)
 aa Publicity (3)
 aa Troops Need ...

C00438077 Friends of Eric Egland FEC year end

From: Eric Egland
 Sent: Sun 5/01/09 10:34 AM
 To: techsupport@nicusa.com
 @ 1 attachment
 Document.pdf (57.1 KB)

Hello,
 Was given this email address by FEC to submit my year end report since do not have access to fax machine (in Iraq).
 File is attached.
 Please confirm receipt.
 Thank you
 Friends of Eric Egland

start

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Windows Live Hotmail - Windows Internet Explorer provided by MNI, LLC

http://mail.live.com/default.aspx?wa=wsignin.0

File Edit View Favorites Tools Help

Links: Customize Links: @ Inboxes (112)

http://go.microsoft.com/fwlink/?...

Windows Live Search the web

Hotmail New Delete Junk Mark as Move to POP Messenger Options

seg and@hotmail.com Reply Reply all Forward

Inbox (173) **FEC Late Filing Notification**

Junk (1)

Drafts (57)

Sent (172)

Deleted (178)

646 L SL (75)

aa Citizen Solutions

aa Classified Cor...

aa Consulting (3)

aa Donors

aa Elance Guru B...

aa HTT (24)

aa IMA (21)

aa McClintock (13)

aa NOMY

aa PAC (7)

aa Publicity (3)

aa Troops Need ...

From: **FEC Filing Server** (http_db@sdrdc.com)

You may not know this sender. Mark as safe | Mark as junk

Thu 4/16/09 11:00 AM

Content-ID: C20485077

Report Type: APRIL QUARTERLY

Due Date: 04/15/2009

COB: 05/31/2009

State:

Do not reply to this notice. It is sent from an unattended account that cannot receive email.

Our records indicate that you should have filed the above report. We have not received the report electronically from you. If you have questions about whether you should be filing this report, please call the Federal Election Commission at (202) 694-1130 or (202) 424-9550, and press 5 for the Reports Analysis Division.

If you need assistance in submitting your report electronically, please call (202) 694-1130 or (202) 424-9550, and press 4 for the Electronic Filing Office.

start

FEC OFFICE OF
ADMIN REVIEW
2009 MAY 18 P 12:39

**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

FRIENDS OF ERIC EGLAND

ADDRESS (number and street) 1511 LARIAT LOOP

Check if different than previously reported. (ACC) ROSEVILLE CA 95661

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE STATE DISTRICT

C00438077

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

CA 04

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 ERIC IVER EGLAND

Signature of Treasurer Electronically Filed by ERIC IVER EGLAND Date 12 31 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								
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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

FRIENDS OF ERIC EGLAND

Report Covering the Period: From:

M	M
10	

D	D
01	

Y	Y	Y	Y
2	0	0	8

 To:

M	M
12	

D	D
31	

Y	Y	Y	Y
2	0	0	8

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

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3 (Revised 12/2003)

Page 3

Write or Type Committee Name
FRIENDS OF ERIC EGLAND

Report Covering the Period: From:

M	M
10	01

Y	Y	Y	Y
2	0	0	8

 To:

M	M
12	31

Y	Y	Y	Y
2	0	0	8

29092642545

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
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
13. LOANS		
(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
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....	0.00	0.00
15. OTHER RECEIPTS (Dividends, Interest, etc.).....	228.00	228.00
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)..... ▶	228.00	228.00

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3 (Revised 02/2003)

Page 4

29092642546

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.....	500.00	500.00
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.....	46724.23	46724.23
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	47224.23	47224.23

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	46996.23
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	228.00
25. SUBTOTAL (add Line 23 and Line 24).....	47224.23
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	47224.23
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	0.00

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:		PAGE 5 / 7	
(check only one)			
<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input checked="" type="checkbox"/> 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
FRIENDS OF ERIC EGLAND

A. Full Name (Last, First, Middle Initial)
FRIENDS OF ERIC EGLAND

Mailing Address **1511 LARIAT LOOP**

City **ROSEVILLE** State **CA** Zip Code **95661**

FEC ID number of contributing federal political committee. **C C00436077**

Name of Employer _____ Occupation _____

Receipt For: **2008** Election Cycle-to-Date ▼

Primary General
 Other (specify) ▼

Date of Receipt
12 31 2008

Transaction ID: **SA15.4100**

Amount of Each Receipt this Period
228.00

INTEREST FROM BANK

Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(i)(4)41a-1)

29092642547

SUBTOTAL of Receipts This Page (optional)	228.00
TOTAL This Period (last page this line number only)	228.00

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 6 / 7

<input type="checkbox"/> 17 20a	<input checked="" type="checkbox"/> 18 20b	<input type="checkbox"/> 19a 20c	<input type="checkbox"/> 19b 21
------------------------------------	---	-------------------------------------	------------------------------------

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (In Full)
FRIENDS OF ERIC EGLAND

A. Full Name (Last, First, Middle Initial) FRIENDS OF ERIC EGLAND		Transaction ID: SB18.4101
Mailing Address 1511 LARIAT LOOP		Date of Disbursement 10 / 15 / 2008
City ROSEVILLE	State CA	Zip Code 95661
Purpose of Disbursement CULVER FOR DC COUNCIL	Candidate Name FRIENDS OF ERIC EGLAND	Amount of Each Disbursement this Period 500.00
Office Sought: <input checked="" type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	Disbursement For: 2008 Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) ▼	Refund or Disposal of Excess Contributions Required Under 11 C.F.R. 400.53
State: CA	District: 04	

29092642548

SUBTOTAL of Disbursements This Page (optional)	500.00
TOTAL This Period (last page this line number only)	500.00

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER: (check only one)				PAGE 7 / 7
	<input type="checkbox"/> 17 20a	<input type="checkbox"/> 18 20b	<input type="checkbox"/> 19a 20c	<input checked="" type="checkbox"/> 19b 21	

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (In Full)
FRIENDS OF ERIC EGLAND

A. Full Name (Last, First, Middle Initial) FRIENDS OF ERIC EGLAND	Transaction ID: SB21.4106
	Date of Disbursement 12 / 31 / 2008
Mailing Address 1511 LARIAT LOOP	Amount of Each Disbursement this Period 46724.23
City ROSEVILLE State CA Zip Code 95661	
Purpose of Disbursement TERMINATION TRANSFER DONATION TO CHARITY	Refund or Disposal of Excess Contributions Required Under 11 C.F.R. 400.53
Candidate Name FRIENDS OF ERIC EGLAND	
Office Sought: <input checked="" type="checkbox"/> House Senate President	012 Category/ Type
Disbursement For: Primary General Other (specify) ▼	
State: CA District: 04	

29092642549

SUBTOTAL of Disbursements This Page (optional)	▶	46724.23
TOTAL This Period (last page this line number only)	▶	46724.23



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

May 19, 2009

Ania Egland as Treasurer
Eric Egland for Congress
1511 Lariat Loop
Suite 170-449
Roseville, CA 95661

C00438077
AF# 2061

Dear Ms. Egland:

On May 18, 2009, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink that reads "Shawn Woodhead-Worth".

Shawn Woodhead-Worth
Reviewing Analyst
Office of Administrative Review

29092642550

Date: June 3, 2009

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

AF#: 2061

Committee Name: Eric Eglund for Congress

Committee ID#: C00438077

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

Attachments:

**Copy of RTB Circulation Reports, dated April 3, 2009 and April 7, 2009, and
RTB Certification, dated April 8, 2009: Previously Forwarded**

Attachment #: N/A

Certified Return Receipt (to be forwarded at later date if not yet received)(Y/N): Y

Attachment #: 1

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

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

Attachment #: 3

RAD Staff Declaration (Y/N): Y

-Prior Notice, dated December 27, 2008.

-Non-Filer Letter, dated February 20, 2009.

-RTB Letter, dated April 13, 2009.

Attachment #: 4

Other RAD Information: (Y/N): N

Attachment#: N/A

29092642551

SENDER: COMPLETE THIS SECTION

1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
2. Print your name and address on the reverse so that we can return the card to you.
3. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

ANIE EGLAND
ERIC EGLAND FOR CONGRESS
2351 SUNSET BLVD., SUITE 170-449
ROCKLIN, CA 95765

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (Printed Name) **THE UPS STORE** Date of Delivery
2351 SUNSET BLVD., STE 170

D. Is delivery restricted (not for return)? Yes
If YES, enter delivery address below: No
ROCKLIN, CA 95765
4/17
120

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

Article Number **7008 2810 0001 2225 7690**
(Transfer from service label)

Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

290926425

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 Eric Egland for Congress:
- A) Prior Notice, dated December 27, 2008, referencing the 2008 Year End Report (sent via electronic mail to: egland2008@gmail.com);
 - B) Non-Filer Letter, dated February 20, 2009, referencing the 2008 Year End Report;
 - C) Reason-to-Believe Letter, dated April 13, 2009, referencing the 2008 Year End Report.
3. I hereby certify that I have searched the Commission's public records and find that Eric Egland for Congress has not yet filed the 2008 Year End Report with the Commission.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms and electronic mail messages for the matter have been provided. This declaration was executed at Washington, D.C. on the 3rd day of June, 2009.



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

29092642553



**YEAR-END
REPORT NOTICE**

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

December 27, 2008

CURRENT REPORT DUE

I. 2008 GENERAL ELECTION CANDIDATES

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	11/25/08 - 12/31/08	01/31/09	01/31/09 ²

II. UNSUCCESSFUL 2008 PRIMARY ELECTION CAMPAIGN COMMITTEES AND CANDIDATES NOT ACTIVE IN 2008 ELECTIONS

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	10/01/08 - 12/31/08	01/31/09	01/31/09 ²

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

For candidates who ran in 2008 but did not participate in the general election, the reporting period for the Year-End Report spans two election cycles. For this report only, committees should instead use the Post-Election Detailed Summary Page (FEC Form 3, Pages 5-8). Committees should not use the normal Detailed Summary Page.

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

¹These 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.

²Notice 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.

29092642554

REPORTING SCHEDULE FOR 2009

REPORTING DATES

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
April Quarterly	01/01/09 - 03/31/09	04/15/09	04/15/09
July Quarterly	04/01/09 - 06/30/09	07/15/09	07/15/09
October Quarterly	07/01/09 - 09/30/09	10/15/09	10/15/09
Year-End	10/01/09 - 12/31/09	01/31/10	01/31/10 ²

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

¹These 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.

²Notice 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 candidates³ (including unopposed candidates and candidates whose names do not appear on the ballot) must file a Year-End Report on January 31, 2009.⁴ 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/electfil/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.

³Generally, 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).

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

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.

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.

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.

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).⁵ For additional information, visit the FEC website at 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.⁶ 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.

⁵Penalties 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.

⁶Senate 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

29092642557



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 20, 2009

RQ-7

EGLAND, ANIA, TREASURER
ERIC EGLAND FOR CONGRESS
2351 SUNSET BLVD., SUITE 170-449
ROCKLIN, CA 95765

IDENTIFICATION NUMBER: C00438077

REFERENCE: YEAR-END REPORT 10/1/2008 - 12/31/2008

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 (MAILING ADDRESS: OFFICE OF PUBLIC RECORDS, P.O. BOX 2517, ALEXANDRIA, VA 22301), 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,

A handwritten signature in cursive script that reads "Patricia Carmona".

PATRICIA CARMONA
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION (RAD)

290300342992642558



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION COMMISSION
SECRETARIAT

2009 JUL 10 P 2:40

July 9, 2009

MEMORANDUM

SENSITIVE

To: The Commission

Through: Robert A. Hickey *R. Hickey*
Staff Director

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

Shawn Woodhead Wert *S. Wert*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2061 – Eric Eglund
for Congress and Ania Eglund, as Treasurer (C00438077)

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

29092642559



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 9, 2009

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

AF# 2061 -- Eric Egland for Congress and Ania Egland, as Treasurer (C00438077)

On April 8, 2009, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2008 Year End Report and made a preliminary determination that the civil money penalty was \$2,700 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on April 13, 2009 of the Commission's RTB finding and civil money penalty. A copy of the RTB letter was emailed to the Candidate on April 22, 2009.

Respondents' Response

On May 18, 2009, the Commission received via facsimile the written response and supporting documentation ("challenge") from the Candidate on behalf of the respondents. He asks that the fine be waived because he was prevented from filing on time by unforeseen circumstances beyond his control, he complied with the regulations to the best of his ability, gained no advantage since he suspended campaign activities a year ago, and was not on the General Election ballot.

He followed the same practices he used to successfully file prior reports, but it did not work for the Termination Report because he was trying to file from Baghdad, Iraq, where he is stationed. He called the Commission's help desk and they told him that uploading reports from overseas is not permitted. He followed their advice and emailed the report before the January 31 west coast deadline to the address they gave him, techsupport@nicusa.com. He also called to confirm the receipt of his email and report before the deadline, at which point, he thought the report was successfully filed and received. It was not until he received the email notice for failing to file the 2009 April Quarterly Report that he realized there was a problem with the Termination Report.

Included with the challenge are four documents. The first document is a screenshot of an email dated February 1, 2009 from the Candidate to techsupport@nicusa.com and includes one attachment. The second document is a screenshot of an email dated April 16, 2009 from the FEC Filing Server for failing to file the April Quarterly Report. The third document is a Termination Report which covers the period from October 1 through December 31, 2008 and discloses the receipt of \$228 in bank interest, a \$500 transfer to Culver for DC Council, and \$46,724 for "termination transfer donation to charity." The fourth document is the RTB letter.

Analysis

The 2008 Termination Report, which covers the Year End reporting period, was filed electronically on June 24, 2009. Copies of the Year End Report were received in a pdf format via email on February 1, 2009 and via facsimile on April 16, 2009. A paper copy of the Termination Report covering the Year End reporting period was submitted with the challenge.

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 December 31 no later than January 31. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). A principal campaign committee must continue to file reports until it files a termination report stating that it will no longer receive contributions or make disbursements, that there are no outstanding debts or obligations and the purpose for which residual funds will be used. 2 U.S.C. § 433(d)(1) and 11 C.F.R. § 102.3. Reports electronically filed must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on the prescribed filing date to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

The candidate contends that the Commission's help desk staff told him that online filings from overseas were not permitted, so he followed their advice and emailed the Termination Report to the technical support staff. He called to confirm the report's receipt and considered it successfully received.

Based on the Electronic Filing Office ("EFO") logs, there was only one conversation with the candidate about the report. In that January 30 conversation, there is no indication that Ms. Smith told him that he could not electronically file a report from overseas or that she told him to email the report to the EFO. After Ms. Smith helped him successfully validate the report, the candidate asked her to verify his electronic filing password. She told him that she could not as it is encrypted. She did, however, suggest that he file it to the "test" server. If it was accepted, he would know the password is valid. He said he did not have internet access; she suggested he have the Treasurer submit a new password request. He told her he did not have access to a fax machine; she then suggested he email the password request form to the EFO with the appropriate Treasurer and/or Assistant Treasurer signature(s) to get a new password.

Information on the Commission's website tells electronic filers that emailed reports will not be accepted and the Commission's electronic filing regulations state that the "data contained in the computerized magnetic media shall be organized in the order specified by the Electronic Filing Specifications Requirements." 11 C.F.R. § 104.18(d). In his response, the Information Technology Division ("ITD") Manager explains that the "order specified" cited in the regulations is a "formatted, flat, delimited text file with a .fec extension" which is done for "technical and practical reasons as data elements cannot be extracted from an emailed PDF, nor can the emailed PDF report be verified as not having been compromised in transit."

The ("ITD") Manager says that he believes the candidate misconstrued the instructions Ms. Smith gave him for submitting a password request as instructions for submitting the report. This is the first instance, according to the ITD Manager, in which an electronic filer emailed a report to the Commission. Thus, when the EFO received Mr. Egland's email with the attached file, the EFO did not have a procedure in place to contact a filer who tries to file via email. In late April, Mr. Lally, the EFO Program Coordinator, discovered Mr. Egland's email when researching the EFO logs for contacts with the Committee's representatives. Mr. Lally determined that the EFO staff should have contacted the candidate in response to his email and explain that the PDF image of the report did not satisfy the Commission's electronic filing requirements. Because that had not occurred, Mr. Lally called the telephone number provided by

RAD which was also the Committee's contact number in the EFO logs. He explained why he was calling; however, the individual who answered the phone said that his wife had not been Treasurer since October 1, 2008 but would have her or the new Treasurer return the call (the most recent Statement of Organization was filed in January 2008 and shows Ania Egland as the designated Treasurer). There is no indication from the EFO logs that anyone associated with the Committee called Mr. Lally back.

The administrative fine regulations at 11 C.F.R. § 111.35(d) provide a list of circumstances that are not considered reasonably unforeseen and beyond the respondents' control when determining if they used their best efforts to file on time. The failure to use filing software properly, which is what occurred in this case, is one of these circumstances. Based on the EFO logs and ITD Manager's response, the candidate was not told that the Commission would not accept the report if it were filed electronically from overseas, nor was he advised to email the report to the EFO, nor did staff confirm in a subsequent conversation that the report was received. The difficulty the candidate apparently faced when he spoke with Ms. Smith on January 30 was that the respondents did not have or know their electronic filing password. The candidate does not say why he rather than the Treasurer was trying to file report, particularly since he was serving overseas when it was due, or why he did not contact the Treasurer about the password.

The Reviewing Officer recognizes, however, that there was a failure on the part of Commission staff to promptly follow-up with the respondents and explain why the emailed report was unacceptable. Upon receipt of the candidate's email, no one contacted the respondents or the candidate to tell them that emailing the report was not an acceptable filing method. Had the EFO staff contacted them upon receipt of the candidate's email, any apparent confusion on the candidate's part about obtaining a password versus acceptable electronic filing methods may have been cleared up and the report electronically filed earlier than June 24. To address any future attempts to file reports by email, the ITD Manager states that the EFO is updating its procedures to address these situations.

The Reviewing Officer, therefore, recommends that the Commission take no further action and close the file. RAD notified OAR that the Committee is eligible to terminate.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2061 involving Eric Egland for Congress and Ania Egland, as Treasurer, in making the final determination;
- (2) Take no further action in AF# 2061 that Eric Egland for Congress and Ania Egland, as Treasurer, violated 2 U.S.C. § 434(a) and close the file; and
- (3) Send the appropriate letter.

Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 –

Attachment 3 – Declaration from RAD,

Attachment 4 – Declaration from OAR

29092642562

DECLARATION OF SHAWN WOODHEAD WERTH

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I supervise research conducted with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2008 Year End Report is due January 31, 2009. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on January 31 to be timely filed.
3. It is the practice of the Electronic Filing Office to document all calls to or from committees regarding an error message they receive while using the FECFile software. It is also this Office's practice to maintain an Electronic Filing section with frequently asked questions and answers on the Commission's web site at http://www.fec.gov/support/faq_filing.shtml for the use of committees and treasurers who are electronic filers.
4. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a mailgram they receive or any questions relating to the FECFile software or administrative fine regulations including due dates of reports and filing requirements.
5. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - (a) Pages 1 and 3 of the amended Statement of Organization electronically filed by Eric Eglund for Congress and Ania Eglund, as Treasurer. According to the Commission's records, the Statement was received on January 30, 2008 and lists Ania Eglund as Treasurer on Line 8;
 - (b) email dated February 1, 2009, Page 1 of the Summary Page, and Envelope Replacement Page for Incoming Documents for the copy of the report for Eric Eglund for Congress and Ania Eglund, as Treasurer. According to the Commission's records, the copy covers the period from October 1 through December 31, 2008, the box for January 31 Year-End Report is checked, and it was received on February 1, 2009 as an attachment to the email. The email is from Eric Eglund and is addressed to techsupport@nicusa.com with a time stamp of 10:34:27. The email says: "[w]as given this email address by FEC to submit my year end report since [] do not have access to fax machine (in Iraq). File is att[a]ched. Please confirm receipt." The Signature of Treasurer line on the Summary Page says "Electronically Filed by Eric Eglund;"
 - (c) Page 1 of the Summary Page and Envelope Replacement Page for Incoming Documents for the paper copy of the report for Eric Eglund for Congress and Ania Eglund, as Treasurer. According to the Commission's records, the copy covers the period from October 1 through December 31, 2008, the box for January 31 Year-End Report is checked, and it was received via facsimile on April 16, 2009;
 - (d) Page 1 of the Summary Page and Envelope Replacement Page for Incoming Documents for the paper copy of the report for Eric Eglund for Congress and Ania Eglund, as Treasurer. According to the Commission's records, the copy covers the period from October 1 through December 31, 2008, the box for Termination Report (TER) is checked, and it was received via facsimile on May 18, 2009; and

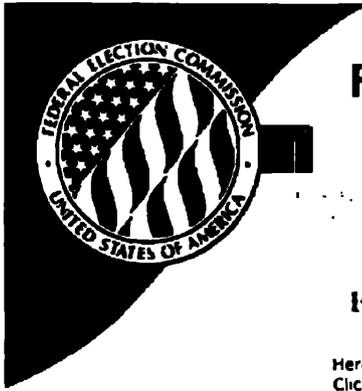
29092642563

- (e) Page 1 of the Summary Page for the 2008 Termination Report filed electronically by Eric Egland for Congress and Ania Egland, as Treasurer. According to the Commission's records, the report covers the period from October 1 through December 31, 2008 and was received on June 24, 2009.
6. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 9th of July, 2009.



Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review
Federal Election Commission

29092642564



FEDERAL ELECTION COMMISSION

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Frequently Asked Questions About Electronic Filing

Here are questions many people ask about filing electronically with the Federal Election Commission. Click on a question below to move to the answer. Or, scroll down to view all of the questions and answers.

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General

1. [How do I get started?](#)
2. [Can I begin electronic filing at any time of the year?](#)
3. [Can I see the reports received electronically by the FEC?](#)
4. [What information from my report is displayed on the Internet?](#)
5. [What are my options for preparing an electronically filed report?](#)
6. [Will contributor names and addresses be available on the Internet?](#)
7. [How do I "sign" my electronic filing?](#)
8. [Is technical assistance available?](#)

Paper vs. Electronic Filing

1. [How do I get FECFile?](#)
2. [Once I file electronically can I switch back to paper?](#)
3. [Can I amend a paper filing electronically?](#)
4. [Should I submit paper forms as well as electronic?](#)

Passwords

1. [Can anyone get a password to file electronically?](#)
2. [If I forget my password, what should I do?](#)

Submitting An Electronic Filing

1. [What are the Configuration screen settings for uploading?](#)
2. [Can I email my filing to the FEC?](#)
3. [How do I know the FEC has my filing?](#)
4. [Can my report be submitted on diskette through the mail?](#)

GENERAL

Question: How do I get started?

Answer: You'll need to do a few things before you begin.

- 1) Download and install the FEC's free filing software at: <http://www.fec.gov/electfil/updatelist.htm>
- 2) Read the user manual.
- 3) Register for a committee ID. You may call FEC Public Records at 1-800-424-9530 ext. 1120 for more information about how to obtain a Committee ID.
- 4) Get a password to file electronically. Instructions are located at: <http://www.fec.gov/electfil/passwords.shtml>

Question: Can I begin electronic filing at any time of the year?

Answer: Yes, but for aggregate amounts and summary totals to be correct, previous information must be entered either completely or in total amounts. For more information about this, please see "Can I begin using FECFile at any time of the year?" in our FECFile Frequently Asked Questions.

Question: Can I see the reports received electronically by the FEC?

Answer: Yes. You may do this by going to www.fec.gov. Select *Campaign finance Reports and Data*, then *View/Download Electronic Filings*. Enter your Committee ID, and your reports will be listed from the last report received.

Question: What information from my report is displayed on the Internet?

Answer: The entire report is made available. The information is presented in several ways. The data is displayed in HTML format and also goes through a virtual scanning procedure and displayed with the scanned images of paper reports. To differentiate between paper and electronically filed reports, the name of the treasurer on the summary page of electronically filed reports is preceded by "Electronically filed by".

Question: Will contributor names and addresses be available on the internet?

Answer: Yes. They are available when filed on paper as well.

Question: What are my options for preparing an electronically filed report?

Answer: FECFile is filing software available at no cost from the FEC. Commercial software is also available.

Question: How do I "sign" my electronic filing?

Answer: A report submitted via the internet or modem requires a password instead of a signature. (The Treasurer's signature is required to receive a password).

Question: Is technical assistance available?

Answer: Yes. If you have questions in regard to creating reports, transactions, and other activity, contact your Campaign Finance Analyst at 800-424-9530 ext. 1130. If you have problems uploading your reports or any other technical issue, contact technical support at 800-424-9530 ext. 1307. Technical support is available Monday through Friday from 9AM to 5:30PM Eastern Standard Time.

For all other electronic filing questions contact the Electronic Filing Office at 800-424-9530 ext.1667.

PAPER vs. ELECTRONIC FILING**Question: How do I get FECFile?**

Answer: You can download it (<http://www.fec.gov/electfil/update/ist.html>), or we can send it by mail on compact disk (CD). For a more detailed explanation please see our FECFile Frequently Asked Questions.

Question: Once I file electronically can I switch back to paper?

Answer: Committees that file voluntarily are required to finish out the remainder of the calendar year before going back to paper. Committees that exceed the mandatory e-filing threshold, have "reason to expect to exceed" the threshold in the following two calendar years and must continue to file electronically for the next two calendar years. For further information, refer to the Code of Federal Regulations.

Question: Can I amend a paper filing electronically?

Answer: No, but FECFile allows you to print an amendment when necessary.

Question: Should I submit paper forms as well as electronic?

Answer:No. Reports filed electronically should never be filed on paper.

PASSWORDS

Question:Can anyone get a password to file electronically?

Answer: Only the current official treasurer and treasurer's assistant as listed in the FEC records may obtain passwords. Obtaining a password requires a request on official committee letterhead for each password. The treasurer must sign all requests and if the password is for an assistant, the assistant must sign as well.

Question:If I forget my password, what should I do?

Answer: You are the only one who knows your password. If you forget you must obtain a new password from the electronic filing office. For more information please refer to the password information page at <http://www.fec.gov/electfilypasswords.html>.

SUBMITTING AN ELECTRONIC FILING

Question:What are the Configuration screen settings for uploading?

Answer: For uploading via the Internet (These settings are case sensitive and must be entered exactly as indicated):

Registered committees and entities other than Senate:

TCP/IP Hostname: disclose.nictusa.com
Agency ID: FEC

Senate committees:

TCP/IP Hostname: senate.nictusa.com
Agency ID: SENATE

For uploading via Modem:

COM Port: Port 2 is the default and the most common modem COM port. It could vary, however.
BAUD Rate: 19200 is the default. Try 14400 if this does not work.
Dialup string: ATDT12027372293
Agency ID: SENATE

Question: Can I email my filing to the FEC?

Answer: No. Electronic filings must be uploaded. Emailed reports will not be accepted.

Question: How do I know the FEC has my filing?

Answer: When you upload a filing to the FEC, you receive an instant email and/or fax confirming receipt of the report. It includes a validation number to match against your own validation number to confirm that the report was not altered in any way in transit. It is important that you keep this email or fax for your records. You may also visit the FEC web site and see your filing on the web. If you do get a receipt, do not assume the FEC received your filing. Contact technical support at 800-424-9530 ext. 1307.

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Question: Can my report be submitted on electronic media through the mail?

Answer: Yes. If, for whatever reason, the internet or a phone line is not available, the report may be submitted on floppy diskette or compact disc (CD). Please read the instructions completely before you begin.

The filing must be submitted on a single 3.5" 1.44MB diskette or CD and may contain only one report and no other files; the only exception to this is, on the same diskette or CD, a second file containing a digitized copy of the signed summary page.

Check to verify that the file on the diskette or CD has a ".fec" file extension. Any other format will be rejected. (*.dcf is wrong and will be rejected!)

Be sure to label your media with:

- Your email address (so a filing receipt can be sent to you)
- Your committee ID number (C00123456)
- Your report type (Year-End 200_)

The media should be mailed along with a signed paper hard copy of the report signature page (page 1 of the report, not the complete report) to the FEC. Diskette or CD filings require an actual summary page because there is no way to transmit the password via diskette or CD. The mailing address is:

Electronic Filing Office
Federal Election Commission
999 E Street, NW
Washington, DC 20463

NOTE: Diskette or CD filings are subject to the same deadlines as paper filings! Diskette or CD filings mailed to the FEC without a signed summary page will be rejected!

Page Modified December 28, 2007

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Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (800) 424-9530 In Washington (202) 694-1000
For the hearing impaired, TTY (202) 219-3336 Send comments and suggestions about this site to the web manager.

**FEC
FORM 1**

**STATEMENT OF
ORGANIZATION**

(See instructions)

Office use only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: If typing, type over the lines 12FE4M5

Eric Eglund For Congress

ADDRESS (number and street)

2351 Sunset Blvd., Suite 170-449

(Check if address is changed)

Rocklin

CA

95765

CITY ▲

STATE ▲

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

egland2008@gmail.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

www.ericegland.com

COMMITTEE'S FAX NUMBER

9167973101

2. DATE M M D D Y Y Y Y 01 30 2008

3. FEC IDENTIFICATION NUMBER C C00438077

4 IS THIS STATEMENT NEW (N) OR X 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 Ania Eglund

Signature of Treasurer Electronically Filed by Ania Eglund

Date M M D D Y Y Y Y 01 30 2008

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. 5437g.

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 02/2003)

29092642569

Write or Type Committee Name

Eric Egland For Congress

- 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 **Ania Egland**

Mailing Address **1511 Lariat Loop**

Roseville **CA** **95661** -

Title or Position **CITY** **STATE** **ZIP CODE**

Custodian of Records Telephone number **916** - **797** - **3101**

- 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 **Ania Egland**

Mailing Address **1511 Lariat Loop**

Roseville **CA** **95661** -

Title or Position **CITY** **STATE** **ZIP CODE**

Treasurer Telephone number **916** - **797** - **3101**

Full Name of Designated Agent

Mailing Address

Title or Position **CITY** **STATE** **ZIP CODE**

Telephone number - -

29092642570

From: Eric Eglad [REDACTED]

To: <techsupport@nicusa.com>

Date: Sun, 1 Feb 2009 10:34:27 -0600

Subject: C00438077 Friends of Eric Eglad FEC year end

Hello,

Was given this email address by FEC to submit my year end report since do not have access to fax machine (in Iraq).

File is atched.

Please confirm receipt.

Thank you,

Friends of Eric Eglad



Document1111.pdf

29092642571
29030081773

**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

Friends of Eric Egland

ADDRESS (number and street) 1511 Lariat Loop

X Check if different than previously reported. (ACC)

Roseville

CA

95061

2. FEC IDENTIFICATION NUMBER

c00438077

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS REPORT

X NEW (N) OR

AMENDED (A)

CA

04

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

X 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 ERIC Egland

Signature of Treasurer Electronically Filed by ERIC Egland

Date 01 30 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

FEC FORM 3 (Revised 02/2008)

FESAN018

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Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
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Hand Delivered Date of Receipt

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USPS Registered/Certified Postmarked (R/C)

USPS Priority Mail Postmarked
 Delivery Confirmation™ or Signature Confirmation™ Label

USPS Express Mail Postmarked

Postmark Illegible

No Postmark

Overnight Delivery Service (Specify): Shipping Date
 Next Business Day Delivery

Received from House Records & Registration Office Date of Receipt

Received from Senate Public Records Office Date of Receipt

Received from Electronic Filing Office Date of Receipt

Other (Specify): *E-mail from RAD* Date of Receipt or Postmarked
2/11/09

EP *4/28/09*
 PREPARER DATE PREPARED

29092642573
29030081782

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

FEDERAL ELECTION COMMISSION
Office of REPORTS ANALYSIS
DIVISION

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

2009 APR 16 P 4: 18

Friends of Eric Eglad

ADDRESS (number and street) 1511 Lariat Loop

X Check if different than previously reported. (ACC) Roseville CA 95661

2. FEC IDENTIFICATION NUMBER C00438077
3. IS THIS REPORT X NEW (N) OR AMENDED (A)
CITY A STATE A ZIP CODE A STATE DISTRICT
CA 04

4. TYPE OF REPORT (Choose One)
(a) Quarterly Reports:
April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
X 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 ERIC Eglad
Signature of Treasurer Electronically Filed by ERIC Eglad Date 01 30 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.

29092642574
29030072586

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Hand Delivered Date of Receipt

USPS First Class Mail Postmarked

USPS Registered/Certified Postmarked (R/C)

USPS Priority Mail Postmarked
 Delivery Confirmation™ or Signature Confirmation™ Label

USPS Express Mail Postmarked

Postmark Illegible

No Postmark

Overnight Delivery Service (Specify): Shipping Date
 Next Business Day Delivery

Received from House Records & Registration Office Date of Receipt

Received from Senate Public Records Office Date of Receipt

Received from Electronic Filing Office Date of Receipt

Other (Specify): *Fax Rec'd From RAD* Date of Receipt or Postmarked
4/16/09

ER
 PREPARER
 (3/2005)

4/17/09
 DATE PREPARED

29092642575
 29030072594

RECEIVED
FEDERAL ELECTION
COMMISSION
REPORTS ANALYSIS
DIVISION

FEC OFFICE OF
ADMIN REVIEW
2009 MAY 18 P 12:39

2008 JUN
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

FRIENDS OF ERIC EGLAND

ADDRESS (number and street) **1511 LARIAT LOOP**

Check if different than previously reported. (ACC)

ROSEVILLE

CA

95681

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00438077

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

CA

04

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 **ERIC IVER EGLAND**

Signature of Treasurer **Electronically Filed by ERIC IVER EGLAND**

Date

12

31

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.

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FEC FORM 3
(Revised 02/2003)

FESAND18

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29030094084

**Federal Election Commission
 ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
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29092642577
 29030094091

<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 type="checkbox"/> USPS Express Mail	Postmarked
<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 checked="" type="checkbox"/> Other (Specify): <i>fax received from RAO</i>	Date of Receipt or Postmarked <i>6/2/09</i>
<i>PK</i> PREPARER	<i>6/2/09</i> DATE PREPARED

**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

ERIC EGLAND FOR CONGRESS

ADDRESS (number and street)

1511 LARIAT LOOP

X Check if different than previously reported. (ACC)

ROSEVILLE

CA

95661

2. FEC IDENTIFICATION NUMBER

C00438077

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS REPORT

X

NEW (N)

OR

AMENDED (A)

CA

04

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)

X 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 ANNA EGLAND

Signature of Treasurer Electronically Filed by ANNA EGLAND Date 01 25 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

FEC FORM 3
(Revised 02/2003)

29092642578



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

July 13, 2009

Ania Egland, as Treasurer
Eric Egland for Congress
1511 Lariat Loop
Roseville, California 95661

C00438077
AF# 2061

Dear Ms. Egland:

On April 8, 2009, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Eric Egland for Congress and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2008 Year End Report. The Commission also made a preliminary determination that the civil money penalty was \$2,700 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer'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 "Shawn Woodhead Werth".

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

Attachment

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SECRETARIAT
2009 AUG -4 P 4: 49

August 4, 2009

MEMORANDUM

SENSITIVE

To: The Commission

Through: Robert A. Hickey *[Signature]*
Staff Director

From: John D. Gibson *[Signature]*
Chief Compliance Officer

Shawn Woodhead *[Signature]*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2061 – Eric Egland for Congress and Ania Egland, as Treasurer (C00438077)

On April 8, 2009, the Commission found reason to believe (“RTB”) that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2008 Year-End Report. The Commission also made a preliminary determination that the civil money penalty was \$2,700 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 18, 2009, the Commission received the respondents’ written response (“challenge”). After reviewing the challenge, the Reviewing Officer’s recommendation dated July 9, 2009 was forwarded to the Commission, copies were sent via overnight delivery to the respondents and via email to the candidate, and is hereby incorporated by reference. The Reviewing Officer believed that there was a failure on the part of Commission staff to promptly follow-up with the respondents to explain why the emailed report was unacceptable. Upon receipt of the candidate’s email, no one contacted the respondents or the candidate to tell them that emailing the report was not an acceptable filing method. Had the EFO staff contacted them upon receipt of the candidate’s email, any apparent confusion on the candidate’s part about obtaining a password versus acceptable electronic filing methods may have been cleared up and the report electronically filed earlier than June 24. To address any future attempts to file reports by email, the ITD Manager stated that the EFO is updating its procedures to address these situations. The Reviewing Officer, therefore, recommended that the Commission take no further action and close the file.

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Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in the respondents' 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.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2061 involving Eric Eglund for Congress and Ania Eglund, as Treasurer, in making the final determination;
- (2) Take no further action in AF# 2061 that Eric Eglund for Congress and Ania Eglund, as Treasurer, violated 2 U.S.C. § 434(a) and close the file; and
- (3) Send the appropriate letter.

29092642581

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 2061
Egland for Congress and Ania Egland, as)
Treasurer (C00438077))

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on August 13, 2009, the Commission decided by a vote of 6-0 to take the following actions in AF 2061:

1. Adopt the Reviewing Officer recommendation for AF 2061 involving Eric Egland for Congress and Ania Egland, as Treasurer, in making the final determination.
2. Take no further action in AF 2061 that Eric Egland for Congress and Ania Egland, as Treasurer, violated 2 U.S.C. § 434(a) and close the file.
3. Send the appropriate letter.

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

Attest:

August 13, 2009
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 21, 2009

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ania Egland, as Treasurer
Eric Egland for Congress
1511 Lariat Loop
Roseville, California 95661

ID# C00438077
AF# 2061

Dear Ms. Egland:

On April 8, 2009, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Eric Egland for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2008 Year End Report. By letter dated April 13, 2009, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$2,700 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 18, 2009, the Office of Administrative Review received the written response from you challenging the RTB civil money penalty.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the challenge. Based on this review, the Reviewing Officer recommended that the Commission take no further action and close the file because the Reviewing Officer believed that there was a failure on the part of Commission staff to promptly follow-up with the respondents to explain why the emailed report was unacceptable. Had the EFO staff contacted them upon receipt of the candidate's email, any apparent confusion on the candidate's part about obtaining a password versus acceptable electronic filing methods may have been cleared up and the report electronically filed earlier than June 24. To address any future attempts to file reports by email, the EFO is updating its procedures to address these situations. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on July 13, 2009.

On August 13, 2009, the Commission adopted the Reviewing Officer's recommendation to take no further action against the respondents with respect to 2 U.S.C. § 434(a). A copy of the final determination memorandum is attached.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this

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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 this matter, please contact Shawn Woodhead Werth 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

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FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2061

DATE SCANNED 10/8/09

SCANNER NO. 2

SCAN OPERATOR EEJ

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