



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1368

DATE SCANNED 10-3-05

SCANNER NO. 1

SCAN OPERATOR JMW

25092582002



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2005 APR 22 A 11:46

April 21, 2005

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR

ROBERT J. COSTA  
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: REASON TO BELIEVE RECOMMENDATION - 2004 YEAR  
END REPORT FOR THE ADMINISTRATIVE  
FINES PROGRAM

Attached is a list of political committees and their treasurers who failed to file, or failed to timely file, the 2004 Year End Report in accordance with 2 U.S.C. 434(a). On December 27, 2004, Prior Notice was sent to all political committees and their treasurers, informing them that the Year End Report was due on January 31, 2005.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days after the due date, or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties included on the report provided.

**Recommendation**

- (1) Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
- (2) Send the appropriate mailgrams.

25092582003

25092582004

## FEDERAL ELECTION COMMISSION 2003-2004

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Reason to Believe Circulation Report

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2004 YEAR END

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	DAYS LATE	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF01343	MAC COLLINS FOR SENATE	C00387340	WANDA TSCHUDY	02/07/2005	7	GA	COLLINS, MICHAEL ALLEN (MAC)	\$3,717,747	No	0	\$1,475
								\$135,999			
AF01344	JOHN KENNEDY FOR US SENATE INC	C00396044	WILLIAM C POTTER	02/18/2005	18	LA	KENNEDY, JOHN NEELY	\$3,839,653	No	0	\$560
								\$46,040			
AF01345	CHASE COMMITTEE	C00399527	NAZMUL HUQ	02/10/2005	10	MA	CHASE, KENNETH G	\$128,567	No	0	\$100
								\$6,710			
AF01346	AL GREEN FOR CONGRESS	C00396028	WILLIAM A LAWSON	03/01/2005	29	TX	GREEN, ALEXANDER	\$1,759,017	No	0	\$3,300
								\$75,472			

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AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER						
RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY					
AF01348	GARY NOLAN FOR PRESIDENT	00	NOLAN, GARY P.				
C00384370	STEPHEN L DASBACH	\$272,684	No	2			\$750
Not Filed		\$22,723 (est)					
AF01349	CAMPBELL FOR SENATE	CA	CAMPBELL, TOM				
C00350942	CHARLES P ZAHL	\$606,652	No	2			\$5,250
Not Filed		\$86,664 (est)					
AF01350	SITTER FOR CONGRESS	CO	SITTER, DOUGLAS RICHARD				
C00392027	BRAD TAFOYA	\$124,706	No	1			\$312
04/06/2005	Not Filed	\$275					
AF01352	CHRIS JENNINGS FOR CONGRESS	FL	JENNINGS, CHRISTINE L				
C00398305	SUSAN K FLYNN	\$1,135,281	No	0			\$250
03/08/2005	Not Filed	\$3,340					
AF01353	SAULL FOR SENATE	FL	SAULL, KAREN				
C00401398	ALICE THORNTON STANLEY	\$1,726,176	No	0			\$11,500
Not Filed		\$863,088 (est)					
AF01354	CLAY FOR CONGRESS.COM	GA	CLAY, CHARLES COMMANDER				
C00388280	Thomas Rogers	\$2,339,483	No	0			\$250
03/21/2005	Not Filed	\$3,389					

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Reason to Believe Circulation Report

2004 YEAR END

AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER	LEVEL OF ACTIVITY					
RECEIPT DATE	DAYS LATE						
AF01356	SCOTT FOR CONGRESS	LA	SCOTT, JOHN WYETH				
C00403659	STEPHEN R FURR	\$298,104	No	0			\$2,700
Not Filed		\$74,526 (est)					
AF01358	JOHN MCKINNIS FOR CONGRESS INC	MD	MCKINNIS, JOHN R II				
C00391268	WILLIAM L CALLAHAN	\$186,933	No	0			\$900
Not Filed		\$26,704 (est)					
AF01359	FRIENDS OF PAUL DEWEESE FOR CONGRESS	MI	DEWEESE, PAUL				
C00386623	KEVIN BROWNLOW	\$609,319	No	0			\$3,500
Not Filed		\$87,045 (est)					
AF01360	STEVEN REIFMAN FOR CONGRESS	MI	REIFMAN, STEVEN W.				
C00396275	Glazer, Andrew	\$237,953	No	0			\$250
03/21/2005	Not Filed	\$2,746					
AF01361	SMITH FOR CONGRESS LLC	MO	SMITH, MARK				
C00389759	HENRY F LUEPKE	\$445,286	No	0			\$2,700
Not Filed		\$74,214 (est)					

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AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER	LEVEL OF ACTIVITY					
RECEIPT DATE	DAYS LATE						
AF01362	FRIENDS OF JEFF SMITH	MO	SMITH, JEFF				
C00390914	NICK ADAMS	\$930,796	No	0		\$5,500	
Not Filed		\$186,159 (est)					
AF01363	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS MS		SUMMERS-O'NEAL, STEHPANIE				
C00395863	DEBORAH JOHNSON THORNTON	\$110,474	No	3		\$7,875	
Not Filed		\$110,474 (est)					
AF01364	WHIT FOR CONGRESS	NC	WHITFIELD, ROBERT EDWARD				
C00395210	JENNIFER B PHILLIPS	\$106,915	No	0		\$250	
Not Filed		\$1,083					
AF01366	JAMES A GARNER CONGRESSIONAL COMMITTEE NY		GARNER, JAMES A				
C00392506	LOUIS M EUSTACHE	\$678,368	No	0		\$4,500	
Not Filed		\$135,673 (est)					
AF01367	FLEMING FOR CONGRESS 2004	NY	FLEMING, JOHN J				
C00391615	NEIL J MCCARTHY	\$171,541	No	1		\$1,125	
Not Filed		\$42,885 (est)					

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2004 YEAR END

AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER	LEVEL OF ACTIVITY					
RECEIPT DATE	DAYS LATE						
AF01368	HONEST ABE HIRSCHFELD FOR U S SENATE	NY	HIRSCHFELD, ABRAHAM				
C00393538	GEORGE L ESPADA	\$789,293	No	4			\$22,000
Not Filed		\$789,293 (est)					
AF01369	FRIENDS OF JEFF SEEMANN FOR CONGRESS	OH	SEEMANN, JEFF				
C00399808	JEFF SEEMANN	\$135,872	No	1			\$3,375
Not Filed		\$67,936 (est)					
AF01370	JOHN MCCONNELL WOLFE JR FOR CONGRESS	TN	WOLFE, JOHN M JR				
C00401521	ALBERT F TEAGUE JR	\$195,488	No	0			\$900
Not Filed		\$38,668 (est)					
AF01371	CHRISTENSEN 4 CONGRESS	TX	CHRISTENSEN, GENE				
C00393462	LAURA BESKAR	\$442,778	No	0			\$4,500
Not Filed		\$110,694 (est)					
AF01374	STACE WILLIAMS FOR US CONGRESS	TX	WILLIAMS, STACE LAWRENCE				
C00385047	CHARLES WADE DARTER JR	\$244,297	No	2			\$1,350
Not Filed		\$30,537 (est)					

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AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER						
RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY					

AF01376	COMMITTEE TO ELECT WILLIAM VADEN FOR CONGRESS	TX	VADEN, WILLIAM R				
C00394692	WILLIAM ROSS VADEN	\$100,208	No	0			\$500
Not Filed	\$16,701 (est)						
AF01377	SOCAS FOR CONGRESS	VA	SOCAS, JAMES ROBERT				
C00399345	ANDREW T O'DELL	\$1,832,292	No	1			\$11,875
Not Filed	\$458,073 (est)						

AF01379	AMERICANS FOR DEMOCRATIC ACTION INC PAC	DC					
C00112680	Dulk Jacobs, Valerie	\$104,210	No	0			\$115
02/18/2005	18	\$1,129					

AF01380	EMPIRE DISTRICT ELECTRIC COMPANY PAC	MO					
C00208249	JAY WILLIAMS	\$120,535	No	0			\$200
03/02/2005	30	\$6,334					

AF01381	INTERNATIONAL CHIROPRACTORS ASSOCIATION-PAC	VA					
C00329920	GARY WALSEMANN	\$116,397	No	0			\$520
02/16/2005	16	\$28,082					



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2004 YEAR END

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF01382	MCKENNA LONG AND ALDRIDGE LLP PAC	C00391383	EDGAR H SIMS	02/11/2005	11	\$21,000	\$136,785	GA		No	0	\$155
AF01383	METRO-GOLDWYN-MAYER PAC	C00207589	DEBORAH J ARVESEN	02/14/2005	14	\$285	\$114,495	CA		No	1	\$118
AF01384	SUGAR CANE GROWERS COOPERATIVE OF FLORIDA	C00254656	JOHN W GRAY	02/24/2005	24	\$952	\$160,666	FL		No	1	\$181
AF01385	U S IMMIGRATION REFORM PAC	C00253906	WILLIAM W CHIP	02/22/2005	22	\$3,275	\$340,071	DC		No	0	\$135
AF01387	SOUTHEAST ANESTHESIA ASSOCIATES PAC	C00306878	H ARTHUR MCCULLOCH MD	03/23/2005	Not Filed	\$6,990	\$246,375	NC		No	1	\$375
AF01388	COLONIAL BANCGROUP INC FEDERAL PAC	C00309526	HARLAN PARRISH	Not Filed		\$35,427 (est)	\$141,709	AL		No	3	\$1,575

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2004 YEAR END

AF #	COMMITTEE NAME	STATE	CANDIDATE NAME	THRESHOLD AMOUNT	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
COMMITTEE ID	TREASURER						
RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY					
AF01389	CONGRESSIONAL BLACK CAUCUS PAC	DC					
C00147512	Arthur R. Collins	\$680,400	No	5		\$10,125	
Not Filed		\$136,080 (est)					
AF01390	INDEPENDENT ACTION INC	DC					
C00139741	RALPH SANTORA	\$466,059	No	1		\$4,375	
Not Filed		\$89,457 (est)					
AF01391	PLUMBERS LOCAL 519 PAC	FL					
C00143362	PHIL TRUCKS JR	\$130,725	No	0		\$250	
03/28/2005	Not Filed	\$3,737					



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Friday, April 22, 2005 12:00

BALLOT DEADLINE: Wednesday, April 27, 2005 4:00

COMMISSIONER: MASON, McDONALD, SMITH, THOMAS, TONER, WEINTRAUB

SUBJECT: **Reason to Believe Recommendation –2004 Year End Report for the Administrative Fines Program. Memorandum from the Assistant Staff Director Reports Analysis Division dated April 21, 2005.**

- ( ) I approve the recommendation(s)
- ( ) I object to the recommendation(s)
- ( ) I approve the recommendations except those following to which I object (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I approve the recommendations except those following in which I abstain (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I approve the recommendations except those following in which I am recused (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I am not voting on this tally.

A definite vote is required. All ballots must be signed and dated. Please return **ONLY THE BALLOT** to the Commission Secretary. Please return ballot no later than date and time shown above.

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

25092582012

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Reason To Believe Recommendation - 2004 )  
 Year End Report for the Administrative )  
 Fines Program: )

MAC COLLINS FOR SENATE, and ) AF# 1343  
 WANDA TSCHUDY as treasurer; )  
 JOHN KENNEDY FOR US SENATE INC, ) AF# 1344  
 and WILLIAM C POTTER as treasurer; )  
 CHASE COMMITTEE, and NAZMUL ) AF# 1345  
 HUQ as treasurer; )  
 AL GREEN FOR CONGRESS, and ) AF# 1346  
 WILLIAM A LAWSON as treasurer; )

GARY NOLAN FOR PRESIDENT, and ) AF# 1348  
 STEPHEN L DASBACH as treasurer; )  
 CAMPBELL FOR SENATE, and ) AF# 1349  
 CHARLES P ZAHL as treasurer; )  
 SITTER FOR CONGRESS, and BRAD ) AF# 1350  
 TAFOYA OF BROWN WHEELDON )  
 TAFOYA & as treasurer; )

CHRIS JENNINGS FOR CONGRESS, and ) AF# 1352  
 SUSAN K FLYNN as treasurer; )  
 SAULL FOR SENATE, and ALICE ) AF# 1353  
 THORNTON STANLEY as treasurer; )

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CLAY FOR CONGRESS.COM, and AF# 1354  
 Thomas Rogers as treasurer;

SCOTT FOR CONGRESS, and STEPHEN ) AF# 1356  
 R FURR as treasurer; )

JOHN MCKINNIS FOR CONGRESS INC, ) AF# 1358  
 and WILLIAM L CALLAHAN as treasurer; )

FRIENDS OF PAUL DEWEESE FOR ) AF# 1359  
 CONGRESS, and KEVIN BROWNLOW )  
 as treasurer; )

STEVEN REIFMAN FOR CONGRESS, ) AF# 1360  
 and Glazer, Andrew as treasurer; )

SMITH FOR CONGRESS LLC, and ) AF# 1361  
 HENRY F LUEPKE as treasurer; )

FRIENDS OF JEFF SMITH, and NICK ) AF# 1362  
 ADAMS as treasurer; )

STEPHANIE SUMMERS O'NEAL FOR ) AF# 1363  
 US CONGRESS, and DEBORAH )

JOHNSON THORNTON as treasurer; )  
 WHIT FOR CONGRESS, and JENNIFER ) AF# 1364  
 B PHILLIPS as treasurer; )

JAMES A GARNER CONGRESSIONAL ) AF# 1366  
 COMMITTEE, and LOUIS M EUSTACHE )  
 as treasurer; )

FLEMING FOR CONGRESS 2004, and ) AF# 1367  
 NEIL J MCCARTHY as treasurer; )

HONEST ABE HIRSCHFELD FOR ) AF# 1368  
 UNITED STATES SENATE, and )

GEORGE L ESPADA as treasurer; )  
 FRIENDS OF JEFF SEEMANN FOR ) AF# 1369  
 CONGRESS, and Chaney, Michael as )

treasurer; )

JOHN MCCONNEL WOLFE JR FOR ) AF# 1370  
 CONGRESS, and ALBERT F TEAGUE JR )  
 as treasurer; )

CHRISTENSEN 4 CONGRESS, and ) AF# 1371  
 LAURA BESKAR as treasurer; )

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STACE WILLIAMS FOR US ) AF# 1374  
 CONGRESS, and CHARLES WADE )  
 DARTER JR as treasurer; )

COMMITTEE TO ELECT WILLIAM ) AF# 1376  
 (WILLIE) VADEN FOR CONGRESS, and )  
 WILLIAM ROSS VADEN as treasurer; )  
 SOCAS FOR CONGRESS, and ANDREW ) AF# 1377  
 T O'DELL as treasurer; )

AMERICANS FOR DEMOCRATIC ) AF# 1379  
 ACTION INC POLITICAL ACTION )  
 COMMITTEE, and Dulk Jacobs, Valerie as )  
 treasurer; )  
 EMPIRE DISTRICT ELECTRIC ) AF# 1380  
 COMPANY POLITICAL ACTION )  
 COMMITTEE, and JAY WILLIAMS as )  
 treasurer; )  
 INTERNATIONAL CHIROPRACTORS ) AF# 1381  
 ASSOCIATION-POLITICAL ACTION )  
 COMMITTEE, and TIMOTHY E MENG )  
 as treasurer; )  
 MCKENNA LONG AND ALDRIDGE ) AF# 1382  
 LLP POLITICAL ACTION COMMITTEE, )  
 and EDGAR H SIMS as treasurer; )  
 METRO-GOLDWYN-MAYER ) AF# 1383  
 POLITICAL ACTION COMMITTEE, and )  
 DEBORAH J ARVESEN as treasurer; )  
 SUGAR CANE GROWERS ) AF# 1384  
 COOPERATIVE OF FLORIDA (PAC), )  
 and JOHN W GRAY as treasurer; )  
 U S IMMIGRATION REFORM PAC, and ) AF# 1385  
 WILLIAM W CHIP as treasurer; )

SOUTHEAST ANESTHESIA ) AF# 1387  
 ASSOCIATES POLITICAL ACTION )  
 COMMITTEE, and H ARTHUR )  
 MCCULLOCH MD as treasurer; )

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COLONIAL BANCGROUP INC	)	AF# 1388
FEDERAL POLITICAL ACTION	)	
COMMITTEE (COLONIAL FED PAC),	)	
and GLENDA ALLRED as treasurer;	)	
CONGRESSIONAL BLACK CAUCUS	)	AF# 1389
POLITICAL ACTION	)	
COMMITTEE(CBC-PAC), and Arthur R.	)	
Collins as treasurer;	)	
INDEPENDENT ACTION INC, and	)	AF# 1390
RALPH SANTORA as treasurer;	)	
PLUMBERS LOCAL 519 POLITICAL	)	AF# 1391
ACTION COMMITTEE, and PHIL	)	
TRUCKS JR as treasurer;	)	

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby  
 certify that on April 27, 2005 the Commission took the following actions on the Reason  
 To Believe Recommendation - 2004 Year End Report for the Administrative Fines  
 Program as recommended in the Reports Analysis Division's Memorandum dated April  
 21, 2005, on the following committees:

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AF#1343 Decided by a vote of 5-0 to: (1) find reason to believe that MAC COLLINS FOR SENATE, and WANDA TSCHUDY 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1344 Decided by a vote of 5-0 to: (1) find reason to believe that JOHN KENNEDY FOR US SENATE INC, and WILLIAM C POTTER 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1345 Decided by a vote of 5-0 to: (1) find reason to believe that CHASE COMMITTEE, and NAZMUL HUQ 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1346 Decided by a vote of 5-0 to: (1) find reason to believe that AL GREEN FOR CONGRESS, and WILLIAM A LAWSON 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1348 Decided by a vote of 5-0 to: (1) find reason to believe that GARY NOLAN FOR PRESIDENT, and STEPHEN L DASBACH 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1349 Decided by a vote of 5-0 to: (1) find reason to believe that CAMPBELL FOR SENATE, and CHARLES P ZAHL 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1350 Decided by a vote of 5-0 to: (1) find reason to believe that SITTER FOR CONGRESS, and BRAD TAFOYA OF BROWN WHEELDON TAFOYA & 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1352 Decided by a vote of 5-0 to: (1) find reason to believe that CHRIS JENNINGS FOR CONGRESS, and SUSAN K FLYNN 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1353 Decided by a vote of 5-0 to: (1) find reason to believe that SAULL FOR SENATE, and ALICE THORNTON STANLEY 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1354 Decided by a vote of 5-0 to: (1) find reason to believe that CLAY FOR CONGRESS.COM, and Thomas Rogers 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

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AF#1356 Decided by a vote of 5-0 to: (1) find reason to believe that SCOTT FOR CONGRESS, and STEPHEN R FURR 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1358 Decided by a vote of 5-0 to: (1) find reason to believe that JOHN MCKINNIS FOR CONGRESS INC, and WILLIAM L CALLAHAN 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1359 Decided by a vote of 5-0 to: (1) find reason to believe that FRIENDS OF PAUL DEWEESE FOR CONGRESS, and KEVIN BROWNLOW 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1360 Decided by a vote of 5-0 to: (1) find reason to believe that STEVEN REIFMAN FOR CONGRESS, and Glazer, Andrew 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1361 Decided by a vote of 5-0 to: (1) find reason to believe that SMITH FOR CONGRESS LLC, and HENRY F LUEPKE 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1362 Decided by a vote of 5-0 to: (1) find reason to believe that FRIENDS OF JEFF SMITH, and NICK ADAMS 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1363 Decided by a vote of 5-0 to: (1) find reason to believe that STEPHANIE SUMMERS O'NEAL FOR US CONGRESS, and DEBORAH JOHNSON THORNTON 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1364 Decided by a vote of 5-0 to: (1) find reason to believe that WHIT FOR CONGRESS, and JENNIFER B PHILLIPS 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1366 Decided by a vote of 5-0 to: (1) find reason to believe that JAMES A GARNER CONGRESSIONAL COMMITTEE, and LOUIS M EUSTACHE 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1367 Decided by a vote of 5-0 to: (1) find reason to believe that FLEMING FOR CONGRESS 2004, and NEIL J MCCARTHY 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1368 Decided by a vote of 5-0 to: (1) find reason to believe that HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE, and GEORGE L ESPADA 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

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mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1369 Decided by a vote of 5-0 to: (1) find reason to believe that FRIENDS OF JEFF SEEMANN FOR CONGRESS, and Chaney, 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1370 Decided by a vote of 5-0 to: (1) find reason to believe that JOHN MCCONNELL WOLFE JR FOR CONGRESS, and ALBERT F TEAGUE 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1371 Decided by a vote of 5-0 to: (1) find reason to believe that CHRISTENSEN 4 CONGRESS, and LAURA BESKAR 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1374 Decided by a vote of 5-0 to: (1) find reason to believe that STACE WILLIAMS FOR US CONGRESS, and CHARLES WADE DARTER 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

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AF#1376 Decided by a vote of 5-0 to: (1) find reason to believe that COMMITTEE TO ELECT WILLIAM (WILLIE) VADEN FOR CONGRESS, and WILLIAM ROSS VADEN 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1377 Decided by a vote of 5-0 to: (1) find reason to believe that SOCAS FOR CONGRESS, and ANDREW T O'DELL 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1379 Decided by a vote of 5-0 to: (1) find reason to believe that AMERICANS FOR DEMOCRATIC ACTION INC POLITICAL ACTION COMMITTEE, and Dulk Jacobs, Valerie 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1380 Decided by a vote of 5-0 to: (1) find reason to believe that EMPIRE DISTRICT ELECTRIC COMPANY POLITICAL ACTION COMMITTEE, and JAY WILLIAMS 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1381 Decided by a vote of 5-0 to: (1) find reason to believe that INTERNATIONAL CHIROPRACTORS ASSOCIATION-POLITICAL ACTION COMMITTEE, and TIMOTHY E MENG as treasurer violated 2 U.S.C. 434(a) and make

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a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1382 Decided by a vote of 5-0 to: (1) find reason to believe that MCKENNA LONG AND ALDRIDGE LLP POLITICAL ACTION COMMITTEE, and EDGAR H SIMS 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1383 Decided by a vote of 5-0 to: (1) find reason to believe that METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE, and DEBORAH J ARVESEN 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1384 Decided by a vote of 5-0 to: (1) find reason to believe that SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC), and JOHN W GRAY 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1385 Decided by a vote of 5-0 to: (1) find reason to believe that U S IMMIGRATION REFORM PAC, and WILLIAM W CHIP 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1387 Decided by a vote of 5-0 to: (1) find reason to believe that SOUTHEAST ANESTHESIA ASSOCIATES POLITICAL ACTION COMMITTEE, and H ARTHUR MCCULLOCH MD 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;

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(2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1388 Decided by a vote of 5-0 to: (1) find reason to believe that COLONIAL BANCGROUP INC FEDERAL POLITICAL ACTION COMMITTEE (COLONIAL FED PAC), and GLENDA ALLRED 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1389 Decided by a vote of 5-0 to: (1) find reason to believe that CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC), and Arthur R. Collins 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1390 Decided by a vote of 5-0 to: (1) find reason to believe that INDEPENDENT ACTION INC, and RALPH SANTORA 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

AF#1391 Decided by a vote of 5-0 to: (1) find reason to believe that PLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE, and PHIL TRUCKS 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 mailgram. Commissioners Mason, McDonald, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner did not vote.

Attest:

April 27, 2005  
Date

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

25092582024

**WESTERN  
UNION.****WESTERN UNION COMMERCIAL SERVICES****CONFIRMATION OF CMGM****TO: GEORGE L ESPADA****HONEST ABE HIRSCHFELD FOR UNITED STATES****336 E 61ST ST APT 3****NEW YORK NY 10021-8733****FEDERAL ELECTION COMMISSION****DAYNA BROWN****999 E ST NW # 709****WASHINGTON DC 20463****APRIL 28, 2005****GEORGE L ESPADA****HONEST ABE HIRSCHFELD FOR UNITED STATES****336 EAST 61ST STREET SUITE 3****NEW YORK NY 10021****C00393538****AF#: 1368****DEAR GEORGE L ESPADA:**

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 31ST, SHALL BE FILED NO LATER THAN JANUARY 31ST. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT. RECORDS AT THE FEDERAL ELECTION COMMISSION ("FEC") INDICATE THAT THIS REPORT WAS NOT FILED WITHIN THIRTY (30) DAYS OF THE DUE DATE. YOU SHOULD FILE THIS REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE ACT WAS FURTHER AMENDED IN 1999 TO PERMIT THE FEC TO IMPOSE CIVIL MONEY PENALTIES FOR VIOLATIONS OF THE REPORTING REQUIREMENTS OF 2 U.S.C. 434(A). 2 U.S.C. 437G(A)(4). ON 04/27/2005, THE FEC FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT HONEST ABE HIRSCHFELD FOR UNITED STATES AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE JANUARY 31ST. 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 \$22000. IT IS DUE BY 06/06/2005 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE  
LEVEL OF ACTIVITY: \$789293  
NUMBER OF DAYS LATE: NOT FILED  
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 4

TO PAY THE CALCULATED CIVIL MONEY PENALTY  
TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED




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REMITTANCE AND YOUR PAYMENT TO THE FEC AT THE ADDRESS ON PAGE 3.  
UPON RECEIPT OF YOUR PAYMENT, THE FEC WILL SEND YOU A FINAL  
DETERMINATION LETTER.

TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY  
TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY  
PENALTY, YOU MUST SUBMIT A WRITTEN RESPONSE, INCLUDING THE AF# FOUND  
ON PAGE ONE, TO THE FEC'S OFFICE OF ADMINISTRATIVE REVIEW, 999 E  
STREET, NW, WASHINGTON, DC 20463. YOUR RESPONSE MUST BE RECEIVED  
BY 06/06/2005. 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, MISCALCULATION OF THE CALCULATED CIVIL MONEY PENALTY  
BY THE FEC, OR THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES THAT  
PERSISTED FOR MORE THAN 48 HOURS THAT WERE BEYOND YOUR CONTROL AND  
PREVENTED YOU FROM FILING THE REPORT IN A TIMELY MANNER. 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. EXAMPLES OF  
CIRCUMSTANCES THAT WILL NOT BE CONSIDERED EXTRAORDINARY INCLUDE, BUT  
ARE NOT LIMITED TO, NEGLIGENCE, PROBLEMS WITH VENDORS OR  
CONTRACTORS, STAFF ILLNESS, COMPUTER FAILURES AND SIMILAR  
CIRCUMSTANCES. 11 C.F.R. 111.35(B)(1)(III) AND (4).

YOUR FAILURE TO RAISE AN ARGUMENT IN A TIMELY FASHION DURING THE  
ADMINISTRATIVE PROCESS SHALL BE DEEMED A WAIVER OF YOUR RIGHT TO  
PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2  
U.S.C. 437G. 11 C.F.R. 111.38.

IF YOU INTEND TO BE REPRESENTED BY COUNSEL, PLEASE ADVISE THE  
OFFICE OF ADMINISTRATIVE REVIEW. YOU SHOULD PROVIDE, IN WRITING,  
THE NAME, ADDRESS AND TELEPHONE NUMBER OF YOUR COUNSEL AND AUTHORIZE  
COUNSEL TO RECEIVE NOTIFICATIONS AND COMMUNICATIONS RELATING TO THIS  
CHALLENGE AND IMPOSITION OF THE CALCULATED CIVIL MONEY PENALTY.

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A  
CHALLENGE

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A  
WRITTEN RESPONSE, THE FEC WILL ASSUME THAT THE PRECEDING FACTUAL  
ALLEGATIONS ARE TRUE AND MAKE A FINAL DETERMINATION THAT HONEST  
ABE HIRSCHFELD FOR UNITED STATES AND YOU, AS TREASURER, VIOLATED 2  
U.S.C. 434(A) AND ASSESS A CIVIL MONEY PENALTY.

UNPAID CIVIL MONEY PENALTIES ASSESSED THROUGH THE ADMINISTRATIVE  
FINE REGULATIONS WILL BE SUBJECT TO THE DEBT COLLECTION ACT OF  
1982("DCA")AS AMENDED BY THE DEBT COLLECTION IMPROVEMENT ACT OF  
1996, 31 U.S.C. 3701 ET SEQ. THE FEC MAY TAKE ANY AND ALL  
APPROPRIATE ACTION AUTHORIZED AND REQUIRED BY THE DCA, AS AMENDED,  
INCLUDING TRANSFER TO THE U.S. DEPARTMENT OF THE TREASURY FOR  
COLLECTION. 11 C.F.R. 111.45.

THIS MATTER WAS GENERATED BASED ON INFORMATION ASCERTAINED BY  
THE FEC IN THE NORMAL COURSE OF CARRYING OUT ITS SUPERVISORY  
RESPONSIBILITIES. 2 U.S.C. 437G(A)(2). IT WILL REMAIN CONFIDENTIAL  
IN ACCORDANCE WITH 2 U.S.C. 437G(A)(4)(B) AND 437G(A)(12)(A) UNTIL  
IT IS PLACED ON 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.

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UNION.**

## WESTERN UNION COMMERCIAL SERVICES

ADDITIONAL INFORMATION ON THE FEC'S ADMINISTRATIVE FINE PROGRAM, INCLUDING THE FINAL REGULATIONS, IS LOCATED AT THE FEC'S WEBSITE AT WWW.FEC.GOV. IF YOU HAVE QUESTIONS REGARDING THE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY, PLEASE CONTACT DAYNA C. BROWN IN THE REPORTS ANALYSIS DIVISION AT OUR TOLL FREE NUMBER (800)424-9530 (AT THE PROMPT, PRESS 5) OR (202)694-1130. IF YOU HAVE QUESTIONS REGARDING THE SUBMISSION OF A CHALLENGE, PLEASE CONTACT THE OFFICE OF ADMINISTRATIVE REVIEW AT OUR TOLL FREE NUMBER (800)424-9530 (PRESS 0, THEN EXT. 1660) OR (202)694-1660.

SINCERELY,

SCOTT E. THOMAS  
CHAIRMAN\* \* \* \* \*  
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 \$22000 FOR THE 2004 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 952182  
ST. LOUIS, MO 63195-2182

IF YOU CHOOSE TO SEND YOUR REMITTANCE AND PAYMENT BY COURIER OR OVERNIGHT DELIVERY, PLEASE USE THIS ADDRESS:  
U.S. BANK - GOVERNMENT LOCKBOX  
FEC #952182  
1005 CONVENTION PLAZA  
ST. LOUIS, MO 63101

THE REMITTANCE AND YOUR PAYMENT ARE DUE BY 06/06/2005. UPON RECEIPT OF YOUR REMITTANCE AND PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT  
-----

FOR: HONEST ABE HIRSCHFELD FOR UNITED STATES

FEC ID#: C00393538

AF#: 1368

PAYMENT DUE DATE: 06/06/2005

PAYMENT AMOUNT DUE: \$22000



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

June 16, 2005 7: A 9: 32  
2005 JUN 17

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR

ROBERT J. COSTA  
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: ADMINISTRATIVE FINES FINAL DETERMINATION  
RECOMMENDATION FOR THE 2004 YEAR END REPORT

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at the RTB stage for failure to file the 2004 Year End Report. The first list represents committees that have paid the civil money penalties and the second list represents the committees that have not paid. The committees that have not paid have been given at least forty (40) days from the date of the RTB notification to remit payment.

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

For your information one of the committees that paid the fine assessed at RTB will require a refund. Scott for Congress (AF #1356) filed the Year End Report after the RTB finding. The report disclosed a lower level of activity than reported at the time of RTB, thereby lowering the civil money penalty from \$2,700 to \$250. The committee paid the civil money penalty assessed at RTB; we will therefore issue a refund of \$2,450.

Additionally, the civil money penalties for two committees have been reduced to \$0. Saull for Senate (AF #1353) and John McKinnis for Congress Inc. (AF #1358) each filed the Year End Report after the RTB finding, disclosing zero activity.

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**RAD Recommendation**

- (1) Make final determinations that the political committees and their treasurers on the attached lists violated 2 U.S.C. §434(a) and assess the civil money penalties so indicated.
- (2) Send the appropriate mailgrams.
- (3) Issue a \$2,450 refund to Scott for Congress (AF #1356).

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**COMMITTEES THAT HAVE PAID**



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DATE 06/15/2005  
PAGE: 2FEDERAL ELECTION COMMISSION 2005-2006  
FINAL DETERMINATION CIRCULATION REPORT

AF #	CANDIDATE NAME	RECEIPT DATE	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	REPORT TYPE	PREVIOUS VIOLATIONS	DATE PAID	AMOUNT PAID
AF1380	EMPIRE DISTRICT ELECTRIC COMPANY	03/02/2005	POLITICAL ACTION COMMITTEE	C00208249	JAY WILLIAMS	MO	2004 YEAR-END	0	06/01/2005	\$200
		04/27/2005			\$6,334					
					\$200					
AF1382	MCKENNA LONG AND ALDRIDGE LLP	02/11/2005	POLITICAL ACTION COMMITTEE	C00391383	EDGAR H SIMS	GA	2004 YEAR-END	0	06/06/2005	\$155
		04/27/2005			\$21,000					
					\$155					
AF1387	SOUTHEAST ANESTHESIA ASSOCIATES	03/23/2005	POLITICAL ACTION COMMITTEE	C00306878	H ARTHUR MCCULLOCH MD	NC	2004 YEAR-END	1	06/09/2005	\$375
		04/27/2005			\$6,990					
					\$375					
AF1388	COLONIAL BANCGROUP INC	Not Filed	FEDERAL POLITICAL ACTION COMMITTEE (COLONIAL FED PAC	C00309526	HARLAN PARRISH	AL	2004 YEAR-END	3	06/10/2005	\$1,575
		04/27/2005			\$35,427 (est)					
					\$1,575					
AF1391	PLUMBERS LOCAL 519	Not Filed	POLITICAL ACTION COMMITTEE	C00143362	PHIL TRUCKS JR	FL	2004 YEAR-END	0	05/10/2005	\$250
		03/28/2005			\$3,737					
		04/27/2005			\$250					

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## COMMITTEES THAT HAVE NOT PAID



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FEDERAL ELECTION COMMISSION 2005-2006  
FINAL DETERMINATION CIRCULATION REPORTDATE 06/15/2005  
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AF #	CANDIDATE NAME	RECEIPT DATE	RTB DATE	DAYS LATE	COMMITTEE NAME	COMMITTEE ID	LEVEL OF ACTIVITY	TREASURER	STATE	PREVIOUS VIOLATIONS	REPORT TYPE	FINAL CIVIL MONEY PENALTY
NOT PAID												
AF1346	AL GREEN FOR CONGRESS GREEN, ALEXANDER	03/01/2005	04/27/2005	29		C00396028	\$75,472	49	TX	0	2004 YEAR-END	\$3,300
AF1348	GARY NOLAN FOR PRESIDENT NOLAN, GARY P.	Not Filed	04/27/2005			C00384370	\$22,723 (est)	49	00	2	2004 YEAR-END	\$750
AF1352	CHRIS JENNINGS FOR CONGRESS JENNINGS, CHRISTINE	03/08/2005	Not Filed			C00398305	\$3,340	49	FL	0	2004 YEAR-END	\$250
AF1353	SAULL FOR SENATE SAULL, KAREN	05/13/2005	Not Filed			C00401398	\$0	49	FL	0	2004 YEAR-END	\$0
AF1358	JOHN MCKINNIS FOR CONGRESS INC MCKINNIS, JOHN R II	04/28/2005	Not Filed			C00391268	\$0	49	MD	0	2004 YEAR-END	\$0
AF1360	STEVEN REIFMAN FOR CONGRESS REIFMAN, STEVEN W.	03/21/2005	Not Filed			C00396275	\$2,746	49	MI	0	2004 YEAR-END	\$250
AF1362	FRIENDS OF JEFF SMITH SMITH, JEFF	Not Filed	04/27/2005			C00390914	\$186,159 (est)	49	MO	0	2004 YEAR-END	\$5,500

DATE 06/15/2005  
PAGE: 225092582035  
FEDERAL ELECTION COMMISSION 2005-2006  
FINAL DETERMINATION CIRCULATION REPORT

AP #	CANDIDATE NAME	RECEIPT DATE	RTB DATE	DAYS LATE	COMMITTEE NAME	COMMITTEE ID	LEVEL OF ACTIVITY	RTB PENALTY	STATE	PREVIOUS VIOLATIONS	REPORT TYPE	FINAL CIVIL MONEY PENALTY
AF1363	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS	Not Filed	04/27/2005		DEBORAH JOHNSON THORNTON	C00395863	\$110,474 (est)	49	MS	3	2004 YEAR-END	\$7,875
AF1364	WHIT FOR CONGRESS	Not Filed	04/27/2005		JENNIFER B PHILLIPS	C00395210	\$1,083	49	NC	0	2004 YEAR-END	\$250
AF1366	JAMES A GARNER CONGRESSIONAL COMMITTEE	Not Filed	04/27/2005		LOUIS M EUSTACHE	C00392506	\$135,673 (est)	49	NY	0	2004 YEAR-END	\$4,500
AF1367	FLEMING FOR CONGRESS 2004	Not Filed	04/27/2005		NEIL J MCCARTHY	C00391615	\$352	49	NY	1	2004 YEAR-END	\$312
AF1368	HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE	Not Filed	04/27/2005		GEORGE L ESPADA	C00393538	\$789,293 (est)	49	NY	4	2004 YEAR-END	\$22,000
AF1369	FRIENDS OF JEFF SEEMANN FOR CONGRESS	Not Filed	04/27/2005		JEFF SEEMANN	C00399808	\$67,936 (est)	49	OH	1	2004 YEAR-END	\$3,375
AF1371	CHRISTENSEN 4 CONGRESS	Not Filed	04/27/2005		LAURA BESKAR	C00393462	\$110,694 (est)	49	TX	0	2004 YEAR-END	\$4,500
AF1374	STACE WILLIAMS FOR US CONGRESS	Not Filed	04/27/2005		CHARLES WADE DARTER JR	C00385047	\$30,537 (est)	49	TX	2	2004 YEAR-END	\$1,350

DATE 06/15/2005  
PAGE: 3

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FEDERAL ELECTION COMMISSION 2005-2006  
FINAL DETERMINATION CIRCULATION REPORT

AF #	CANDIDATE NAME	RECEIPT DATE	RTB DATE	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	PREVIOUS VIOLATIONS	REPORT TYPE
					LEVEL OF ACTIVITY	DAYS SINCE RTB		FINAL CIVIL MONEY PENALTY	
					RTB PENALTY				
AF1377	SOCAS FOR CONGRESS	Not Filed	04/27/2005		C00399345	ANDREW T O'DELL	VA	1	2004 YEAR-END
						\$458,073 (est)			\$11,875
						\$11,875			
AF1379	AMERICANS FOR DEMOCRATIC ACTION INC	02/18/2005	04/27/2005	POLITICAL ACTION COMMITTEE	C00112680	Dulk Jacobs, Valerie	DC	0	2004 YEAR-END
						\$1,129			\$115
						\$115			
AF1381	INTERNATIONAL CHIROPRACTORS ASSOCIATION-POLITICAL ACTION COMMITTEE	02/16/2005	04/27/2005		C00329920	GARY L WALSEMANN	VA	0	2004 YEAR-END
						\$28,082			\$520
						\$520			
AF1383	METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE	02/14/2005	04/27/2005		C00207589	DEBORAH J ARVESEN	CA	1	2004 YEAR-END
						\$285			\$118
						\$118			
AF1384	SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC)	02/24/2005	04/27/2005		C00254656	JOHN W GRAY	FL	1	2004 YEAR-END
						\$952			\$181
						\$181			
AF1385	U S IMMIGRATION REFORM PAC	02/22/2005	04/27/2005		C00253906	WILLIAM W CHIP	DC	0	2004 YEAR-END
						\$3,275			\$135
						\$135			
AF1389	CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC)	Not Filed	04/27/2005		C00147512	Arthur R. Collins	DC	5	2004 YEAR-END
						\$136,080 (est)			\$10,125
						\$10,125			
AF1390	INDEPENDENT ACTION INC	05/18/2005	04/27/2005		C00139741	RALPH SANTORA	DC	1	2004 YEAR-END
						\$17,404			\$625
						\$4,375			



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Friday, June 17, 2005 12:00

BALLOT DEADLINE: Wednesday, June 22, 2005 4:00

COMMISSIONER: MASON, McDONALD, SMITH, THOMAS, TONER, WEINTRAUB

SUBJECT: **Administrative Fines Final Determination Recommendation  
For The 2004 Year End Report. Memorandum from the Assistant  
Staff Director, Reports Analysis Division dated  
June 17, 2005.**

- ( ) I approve the recommendation(s)
- ( ) I object to the recommendation(s)
- ( ) I approve the recommendations except those following  
to which I object (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I approve the recommendations except those following  
in which I abstain (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I approve the recommendations except those following  
in which I am recused (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I am not voting on this tally.

A definite vote is required. All ballots must be signed and dated. Please return  
ONLY THE BALLOT to the Commission Secretary. Please return ballot no later  
than date and time shown above.

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

25092582037

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Administrative Fines Final Determination )  
 Recommendation for the 2004 Year End )  
 Report.: )

GARY NOLAN FOR PRESIDENT, and ) AF# 1348  
 STEPHEN L DASBACH as treasurer; )  
 CHRIS JENNINGS FOR CONGRESS, and ) AF# 1352  
 SUSAN K FLYNN as treasurer; )  
 SAULL FOR SENATE, and ALICE ) AF# 1353  
 THORNTON STANLEY as treasurer; )

JOHN MCKINNIS FOR CONGRESS INC, ) AF# 1358  
 and WILLIAM L CALLAHAN as treasurer; )  
 )  
 STEVEN REIFMAN FOR CONGRESS, ) AF# 1360  
 and Glazer, Andrew as treasurer; )  
 FRIENDS OF JEFF SMITH, and NICK ) AF# 1362  
 ADAMS as treasurer; )  
 STEPHANIE SUMMERS O'NEAL FOR ) AF# 1363  
 US CONGRESS, and DEBORAH )  
 JOHNSON THORNTON as treasurer; )  
 WHIT FOR CONGRESS, and JENNIFER ) AF# 1364  
 B PHILLIPS as treasurer; )  
 JAMES A GARNER CONGRESSIONAL ) AF# 1366  
 COMMITTEE, and LOUIS M EUSTACHE )  
 as treasurer; )  
 FLEMING FOR CONGRESS 2004, and ) AF# 1367  
 NEIL J MCCARTHY as treasurer; )

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HONEST ABE HIRSCHFELD FOR AF# 1368

UNITED STATES SENATE, and

GEORGE L ESPADA as treasurer;

FRIENDS OF JEFF SEEMANN FOR ) AF# 1369

CONGRESS, and JEFF SEEMANN as )

treasurer; )

CHRISTENSEN 4 CONGRESS, and ) AF# 1371

LAURA BESKAR as treasurer; )

STACE WILLIAMS FOR US ) AF# 1374

CONGRESS, and CHARLES WADE )

DARTER JR as treasurer; )

SOCAS FOR CONGRESS, and ANDREW ) AF# 1377

T O'DELL as treasurer; )

AMERICANS FOR DEMOCRATIC ) AF# 1379

ACTION INC POLITICAL ACTION )

COMMITTEE, and Dulk Jacobs, Valerie as )

treasurer; )

METRO-GOLDWYN-MAYER ) AF# 1383

POLITICAL ACTION COMMITTEE, and )

DEBORAH J ARVESEN as treasurer; )

SUGAR CANE GROWERS ) AF# 1384

COOPERATIVE OF FLORIDA (PAC), )

and JOHN W GRAY as treasurer; )

U S IMMIGRATION REFORM PAC, and ) AF# 1385

WILLIAM W CHIP as treasurer; )

CONGRESSIONAL BLACK CAUCUS ) AF# 1389

POLITICAL ACTION )

COMMITTEE(CBC-PAC), and Arthur R. )

Collins as treasurer; )

INDEPENDENT ACTION INC, and ) AF# 1390

RALPH SANTORA as treasurer; )

25092582039

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on June 23, 2005 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the 2004 Year End Report. as recommended in the Reports Analysis Division's Memorandum dated June 23, 2005, on the following committees:

AF#1348 Decided by a vote of 6-0 to: (1) make a final determination that GARY NOLAN FOR PRESIDENT, and STEPHEN L DASBACH as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1352 Decided by a vote of 6-0 to: (1) make a final determination that CHRIS JENNINGS FOR CONGRESS, and SUSAN K FLYNN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1353 Decided by a vote of 6-0 to: (1) make a final determination that SAULL FOR SENATE, and ALICE THORNTON STANLEY as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF#1358 Decided by a vote of 6-0 to: (1) make a final determination that JOHN MCKINNIS FOR CONGRESS INC, and WILLIAM L CALLAHAN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1360 Decided by a vote of 6-0 to: (1) make a final determination that STEVEN REIFMAN FOR CONGRESS, and Glazer, Andrew as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1362 Decided by a vote of 6-0 to: (1) make a final determination that FRIENDS OF JEFF SMITH, and NICK ADAMS as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1363 Decided by a vote of 6-0 to: (1) make a final determination that STEPHANIE SUMMERS O'NEAL FOR US CONGRESS, and DEBORAH JOHNSON THORNTON as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1364 Decided by a vote of 6-0 to: (1) make a final determination that WHIT FOR CONGRESS, and JENNIFER B PHILLIPS as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1366 Decided by a vote of 6-0 to: (1) make a final determination that JAMES A GARNER CONGRESSIONAL COMMITTEE, and LOUIS M EUSTACHE as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1367 Decided by a vote of 6-0 to: (1) make a final determination that FLEMING FOR CONGRESS 2004, and NEIL J MCCARTHY as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate

25092582041



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June 23, 2005

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mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1368 Decided by a vote of 6-0 to: (1) make a final determination that HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE, and GEORGE L ESPADA as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1369 Decided by a vote of 6-0 to: (1) make a final determination that FRIENDS OF JEFF SEEMANN FOR CONGRESS, and JEFF SEEMANN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1371 Decided by a vote of 6-0 to: (1) make a final determination that CHRISTENSEN 4 CONGRESS, and LAURA BESKAR as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1374 Decided by a vote of 6-0 to: (1) make a final determination that STACE WILLIAMS FOR US CONGRESS, and CHARLES WADE DARTER JR as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1377 Decided by a vote of 6-0 to: (1) make a final determination that SOCAS FOR CONGRESS, and ANDREW T O'DELL as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF#1379 Decided by a vote of 6-0 to: (1) make a final determination that AMERICANS FOR DEMOCRATIC ACTION INC POLITICAL ACTION COMMITTEE, and Dulk Jacobs, Valerie as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1383 Decided by a vote of 6-0 to: (1) make a final determination that METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE, and DEBORAH J ARVESEN as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1384 Decided by a vote of 6-0 to: (1) make a final determination that SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC), and JOHN W GRAY as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1385 Decided by a vote of 6-0 to: (1) make a final determination that U S IMMIGRATION REFORM PAC, and WILLIAM W CHIP as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1389 Decided by a vote of 6-0 to: (1) make a final determination that CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC), and Arthur R. Collins as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1390 Decided by a vote of 6-0 to: (1) make a final determination that INDEPENDENT ACTION INC, and RALPH SANTORA as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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Attest:

June 23, 2005  
Date

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

25092582044

**WESTERN  
UNION.**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES  
TO: GEORGE L ESPADAHONEST ABE HIRSCHFELD FOR UNITED STATES  
336 E 61ST ST APT 3  
NEW YORK NY 10021-8733FEDERAL ELECTION COMMISSION  
DAYNA BROWN  
999 E ST NW # 709  
WASHINGTON DC 20463

JUNE 24, 2005

GEORGE L ESPADA  
HONEST ABE HIRSCHFELD FOR UNITED STATES  
336 EAST 61ST STREET SUITE 3  
NEW YORK NY 10021C00393538  
AF# 1368

DEAR GEORGE L ESPADA,

ON 04/27/2005, THE FEDERAL ELECTION COMMISSION ("FEC") FOUND REASON TO BELIEVE ("RTB") THAT HONEST ABE HIRSCHFELD FOR UNITED STATES AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO FILE THE 2004 YEAR-END REPORT. BY MAILGRAM DATED 04/28/2005, THE FEC SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE OF 22000 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43. WITHIN 40 DAYS OF THE FEC'S RTB FINDING, YOU WERE REQUIRED TO EITHER TRANSMIT PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE CHALLENGING EITHER THE RTB FINDING OR THE CALCULATED CIVIL MONEY PENALTY. YOU MUST ALSO FILE THE 2004 YEAR-END REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE FEC DID NOT RECEIVE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR YOUR WRITTEN RESPONSE WITHIN THE TIME PERMITTED. THEREFORE, THE FEC MADE A FINAL DETERMINATION ON 06/23/2005 THAT YOU, AS TREASURER, AND HONEST ABE HIRSCHFELD FOR UNITED STATES VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF 22000 IN ACCORDANCE WITH 11 C.F.R. 111.43. THE CIVIL MONEY PENALTY IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE

LEVEL OF ACTIVITY: \$789293

NUMBER OF PREVIOUS VIOLATIONS: 4      NUMBER OF DAYS LATE: NOT  
FILED

TO PAY THE CIVIL MONEY PENALTY

TO PAY THE CIVIL MONEY PENALTY, SEND THE ENCLOSED FORM AND YOUR  
PAYMENT TO THE ADDRESS ON PAGE 3 WITHIN 30 DAYS OF RECEIPT OF THIS


**WESTERN  
UNION.**

## WESTERN UNION COMMERCIAL SERVICES

LETTER.

## IF YOU DO NOT PAY THE 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 ("DCIA"), 31 U.S.C. 3701 ET SEQ. IF YOU DO NOT PAY THIS DEBT WITHIN 30 DAYS (OR FILE A WRITTEN PETITION TO A FEDERAL DISTRICT COURT - SEE BELOW), THE FEC WILL TRANSFER THE DEBT TO THE U.S. DEPARTMENT OF THE TREASURY ("TREASURY") FOR COLLECTION. WITHIN 5 DAYS OF ITS TRANSFER TO TREASURY, TREASURY WILL CONTACT THE DEBTOR AND REQUEST PAYMENT. TREASURY CURRENTLY CHARGES A FEE OF 18% OF THE CIVIL MONEY PENALTY FOR ITS COLLECTION SERVICES. THE FEE WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY THAT YOU OWE. SHOULD TREASURY ATTEMPTS FAIL, TREASURY WILL TRANSFER THE DEBT TO A PRIVATE COLLECTION AGENCY ("PCA"). IF THE DEBT IS REFERRED TO A PCA, THE TREASURY AND PCA COLLECT A FEE OF 28% OF THE CIVIL MONEY PENALTY AMOUNT WHICH WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY.

IF THE DEBT REMAINS UNPAID, TREASURY MAY RECOMMEND THAT THE FEC REFER THE MATTER TO THE DEPARTMENT OF JUSTICE FOR LITIGATION.

## IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION OR CIVIL MONEY PENALTY

IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION, YOU SHOULD SUBMIT A WRITTEN PETITION, WITHIN 30 DAYS OF RECEIPT OF THIS LETTER, TO THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT IN WHICH THE COMMITTEE OR YOU RESIDE, OR TRANSACT BUSINESS, REQUESTING THAT THE FINAL DETERMINATION BE MODIFIED OR SET ASIDE. SEE 2 U.S.C. 437G(A)(4)(C)(III). YOUR FAILURE TO RAISE AN ARGUMENT IN A TIMELY FASHION DURING THE ADMINISTRATIVE PROCESS SHALL BE DEEMED A WAIVER OF THE RESPONDENT'S RIGHT TO PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2 U.S.C. 437G. 11 C.F.R. 111.38.

THE CONFIDENTIALITY PROVISIONS AT 2 U.S.C. 437G(A)(12) NO LONGER APPLY AND THIS MATTER IS NOW PUBLIC. THE FILE WILL BE MADE A PART OF THE PUBLIC RECORD PURSUANT TO 11 C.F.R. 111.42(B). ALTHOUGH THE FILE MUST BE PLACED ON THE PUBLIC RECORD WITHIN THIRTY (30) DAYS FROM THE DATE OF THE COMMISSION NOTIFICATION, THIS COULD OCCUR AT ANYTIME FOLLOWING CERTIFICATION OF THE COMMISSION VOTE.

IF YOU HAVE ANY QUESTIONS REGARDING THE PAYMENT OF THE CIVIL MONEY PENALTY, PLEASE CONTACT DAYNA BROWN AT FEDERAL ELECTION COMMISSION, 999 E ST., NW, WASHINGTON, DC 20463, OR OUR TOLL FREE NUMBER (800)424-9530 (AT THE PROMPT, PRESS 5) OR (202)694-1130.

SINCERELY,

SCOTT E. THOMAS  
CHAIRMAN

## ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43, THE CIVIL MONEY PENALTY IS 22000 FOR THE

**WESTERN  
UNION®**

WESTERN UNION COMMERCIAL SERVICES

## 2004 YEAR-END REPORT.

THIS PENALTY SHOULD BE PAID BY CHECK OR MONEY ORDER MADE PAYABLE  
TO THE FEDERAL ELECTION COMMISSION. IT SHOULD BE SENT BY MAIL TO:

FEDERAL ELECTION COMMISSION  
PO BOX 952182  
ST. LOUIS, MO 63195-2182

IF YOU CHOOSE TO SEND YOUR PAYMENT BY COURIER OR OVERNIGHT  
DELIVERY, PLEASE USE THIS ADDRESS:

U.S. BANK - GOVERNMENT LOCKBOX  
FEC #952182  
1005 CONVENTION PLAZA  
ST. LOUIS, MO 63101

THE FORM AND PAYMENT ARE DUE WITHIN 30 DAYS OF RECEIPT OF THIS  
LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

---

FOR: HONEST ABE HIRSCHFELD FOR UNITED STATES

FEC ID: C00393538

AF#: 1368

PAYMENT AMOUNT DUE: 22000


# **CERTIFICATION - DEBT COLLECTION**

With respect to the debts attached or transmitted with this certification, I certify the following:

1. **Valid Debts.** The debts are delinquent, valid and legally enforceable in the amounts stated. No debtor has repaid or agreed to repay the claim under a signed repayment agreement or filed for review of the claim.
2. **No Bar to Collection.** The debts are not subject to any circumstances that legally preclude or bar collection. There are no foreclosures pending with respect to any collateral securing a debt. The Agency's records do not show that any debtor owing a debt has filed for bankruptcy protection. Alternatively, the Agency can clearly establish that any automatic stay has been lifted or is no longer in effect.
3. **Due Process.** The Agency, at a minimum, has made reasonable efforts to obtain payment of the debt: demanded payment and provided the debtor with the notice and opportunities described below:
  - A. At least 30 days prior to the date of this certification, the Agency has provided, or made reasonable efforts to provide each debtor with:
    - written notice, at the debtor's most current known address, of the nature and the amount of the debt, the intention of the Agency to collect the debt through referral to Treasury, and actions that may be taken by Treasury including referral of the debt to a private collection agency and referral of the debt to the Department of Justice for litigation.
    - an opportunity to inspect and copy the records of the Agency with respect to the debt;
    - an opportunity for review within the Agency of the determination of the Agency with respect to the debt, including the opportunity to present evidence that all or part of the debt is not past-due or legally enforceable.
  - B. The Agency has considered any evidence presented by the debtor and determined that the amount of the debt is past-due and legally enforceable and there are no pending appeals of such determination.
4. **Interest and Penalties.** The Agency has complied with all of the provisions of 31 U.S.C. § 3717 and 4 C.F.R. Part 102, as well as other statutes, regulations and policies applicable to the Agency's assessment of interest, penalties and administrative costs. The Agency has mailed or hand-delivered a written notice to all debtors explaining the Agency's requirements concerning the charges.

**CERTIFICATION:** Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that to the best of my knowledge and belief, and/or based upon Agency certification, that the foregoing is true and correct. I certify that I have been delegated authority to execute this certification on behalf of the head of my agency.

September 1, 2005  
Date

  
Signature of Certifying Official  
Print Name: Shawn Woodhead Werth  
Title: Director, Office of Administrative Review  
Agency: Federal Election Commission

25092582048



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1368

DATE SCANNED 10-3-05

SCANNER NO. 1

SCAN OPERATOR Jm N

25092582049