

DATE FILMED 11-28-03

CAMERA NO. 3

CAMERAMAN IMU



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2003 SEP -5 P 3:50

September 5, 2003

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 2002 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 RTB for failure to file or failure to timely file the 2002 Year End Report. The first list represents committees that have paid the civil money penalty and the second list represents those that have not paid. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding 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.

Five committees have filed reports after the RTB finding where the actual level of activity disclosed on the report results in a civil money penalty which is lower than that assessed at RTB. One of the committees, Political Action Committee of Focal Communications Corporation (AF #1033), paid the civil money penalty assessed at RTB; we will therefore issue a refund of the difference between the amount paid and the amount assessed at final determination. Another committee, Bill Martin Congressional Committee (AF #997) made a partial payment of the civil money penalty assessed at RTB; because this payment equals the revised civil money penalty, no refund is

necessary.

### **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 letters.

**COMMITTEES THAT HAVE PAID**

23.09.2014. 10:00

2009-08-24 14:39:33

FEDERAL ELECTION COMMISSION  
FINAL DETERMINATION CIRCULATION REPORT

DATE 09/05/2003  
PAGE: 1

AF #	CANDIDATE NAME	COMMITTEE NAME	RECEIPT DATE	DAYS LATE	REASON TO BELIEVE DATE	COMMITTEE ID	TREASURER	STATE	DATE PAID	PREVIOUS VIOLATIONS	REPORT TYPE	AMOUNT PAID
AF0966	DORNAN FOR CONGRESS					C00235721	HON ROBERT K DORNAN	CA		0	2002 YEAR-END	
	DORNAN, ROBERT KENNETH		02/07/2003	7			\$55,483		08/18/2003			\$825
			06/30/2003				\$825					
AF0967	JIM TSO FOR CONGRESS					C00377226	DAVID MICHAEL MONTENARO	FL		0	2002 YEAR-END	
	TSO, JIM		02/24/2003	24			\$240		07/16/2003			\$240
			06/30/2003				\$240					
AF0968	IOWANS FOR JIM LEACH					C00083709	James L. McDonald Treas. - Linda Weeks	IA		0	2002 YEAR-END	
	LEACH, JAMES A HON		02/07/2003	7			\$12,084		08/12/2003			\$275
			06/30/2003				\$275					
AF0970	IRMA MUSE DIXON CONGRESSIONAL CAMPAIGN COMMITTEE INC; THE					C00381822	KENNETH C PAILET	LA		0	2002 YEAR-END	
	DIXON, IRMA MUSE		02/07/2003	7			\$30,998		07/24/2003			\$550
			06/30/2003				\$550					
AF0973	ENZ FOR CONGRESS					C00376954	JOHN R MCGOWAN	MO		0	2002 YEAR-END	
	ENZ, CATHERINE S		02/25/2003	25			\$161		08/08/2003			\$161
			06/30/2003				\$161					
AF0974	COMMITTEETO ELECT FRANK W BALLANCE JR					C00372300	Joyce Bullock	NC		0	2002 YEAR-END	
	BALLANCE, FRANK W JR		02/06/2003	6			\$40,725		08/13/2003			\$500
			06/30/2003				\$500					
AF0976	SEAN MAHONEY FOR CONGRESS					C00370320	RUTH GRIFFIN	NH		1	2002 YEAR-END	
	MAHONEY, SEAN		02/13/2003	13			\$1,638		08/06/2003			\$531
			06/30/2003				\$531					
AF0994	BARVE FOR CONGRESS COMMITTEE					C00305656	PAUL J BENKERT JR	MD		0	2002 YEAR-END	
	BARVE, KUMAR P		04/30/2003	Not Filed			\$51,083		08/12/2003			\$2,700
			06/30/2003				\$2,700					
AF0995	FRIENDS OF GEORGE E IRVIN					C00374140	GERALD P COLLIER	MS		0	2002 YEAR-END	
	IRVIN, GEORGE E SR		05/30/2003	Not Filed			\$316		07/24/2003			\$316
			06/30/2003				\$316					
AF0997	BILL MARTIN CONGRESSIONAL COMMITTEE					C00374686	TED A LITTLE	NC		1	2002 YEAR-END	
	MARTIN, WILLIAM NELSON		07/31/2003	Not Filed			\$549		08/12/2003			\$1,125
			06/30/2003				\$1,125					

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FEDERAL ELECTION COMMISSION  
FINAL DETERMINATION CIRCULATION REPORT

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AF #	CANDIDATE NAME	COMMITTEE NAME	RECEIPT DATE	DAYS LATE	REASON TO BELIEVE DATE	COMMITTEE ID	TREASURER	LEVEL OF ACTIVITY	CIVIL MONEY PENALTY	STATE	DATE PAID	PREVIOUS VIOLATIONS	REPORT TYPE	AMOUNT PAID
AF0998	DAN BLUE SENATE COMMITTEE BLUE, DANIEL JR		03/21/2003	Not Filed		C00369348	WALTER C DAVENPORT	\$82,421	\$3,500	NC	08/12/2003	0	2002 YEAR-END	\$3,500
AF1013	S C JOHNSON & SON INC POLITICAL ACTION COMMITTEE (SCJPAC)		02/19/2003	19		C00342246	WILLIAM H VAN LOPIK	\$8,000	\$575	WI	08/11/2003	0	2002 YEAR-END	\$575
AF1016	CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC)		02/17/2003	17		C00147512	Arthur R. Collins	\$44,643	\$1,312	DC	08/07/2003	1	2002 YEAR-END	\$1,312
AF1017	COZEN O'CONNOR POLITICAL ACTION COMMITTEE		02/24/2003	24		C00312777	GEORGE E SANDONE	\$19,436	\$700	PA	08/08/2003	0	2002 YEAR-END	\$700
AF1018	GEORGIA MEDICAL POLITICAL ACTION COMMITTEE		02/12/2003	12		C00001685	ROY VANDIVER MD	\$52,161	\$1,200	GA	08/13/2003	0	2002 YEAR-END	\$1,200
AF1021	SUPPORTERS OF ENGINEERS LOCAL 3 ENDORSED CANDIDATES (SELEC)		02/26/2003	26		C00024422	GARLAND ROSAURO	\$9,370	\$937	CA	07/28/2003	1	2002 YEAR-END	\$937
AF1022	TECO ENERGY INC EMPLOYEES' PAC		02/21/2003	21		C00161422	Remmers, Chrys A Ms	\$12,274	\$937	FL	07/22/2003	2	2002 YEAR-END	\$937
AF1023	RHODE ISLAND REPUBLICAN STATE CENTRAL COMMITTEE		02/13/2003	13		C00078196	Drew, Merrill C.	\$803	\$743	RI	07/25/2003	3	2002 YEAR-END	\$743
AF1030	FLORIDA ROCK INDUSTRIES INC GOOD GOVERNMENT COMMITTEE		03/10/2003	Not Filed		C00125716	JOHN D MILTON JR	\$7,382	\$900	FL	08/08/2003	0	2002 YEAR-END	\$900
AF1031	IUOE LOCAL 542 OPERATING ENGINEERS POLITICAL ACTION FUND		03/13/2003	Not Filed		C00136739	ROBERT T HEENAN	\$6,589	\$1,125	PA	08/08/2003	1	2002 YEAR-END	\$1,125

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DATE 09/05/2003  
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FEDERAL ELECTION COMMISSION  
FINAL DETERMINATION CIRCULATION REPORT

PAID

AF #	CANDIDATE NAME	COMMITTEE NAME	RECEIPT DATE	DAYS LATE	REASON TO BELIEVE DATE	COMMITTEE ID	LEVEL OF ACTIVITY	CIVIL MONEY PENALTY	TREASURER	STATE	DATE PAID	PREVIOUS VIOLATIONS	REPORT TYPE	AMOUNT PAID
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AF1033	POLITICAL ACTION COMMITTEE OF FOCAL COMMUNICATIONS CORPORATION					C00360719	ROBERT M JUNKROSKI			IL		0	2002 YEAR-END	\$1,800
	08/06/2003	Not Filed					\$1,755				08/27/2003			
	06/30/2003						\$900							

**COMMITTEES THAT HAVE NOT PAID**

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23.09.2004.2007

DATE 09/05/2003  
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FEDERAL ELECTION COMMISSION  
FINAL DETERMINATION CIRCULATION REPORT

NOT PAID

STATE

AF # COMMITTEE NAME

CANDIDATE NAME

RECEIPT DATE

RTB DATE

LEVEL OF ACTIVITY

DAYS SINCE RTB

COMMITTEE ID

LEVEL OF ACTIVITY

DAYS SINCE RTB

RTB PENALTY

TREASURER

REPORT TYPE

PREVIOUS VIOLATIONS

FINAL CIVIL MONEY PENALTY

AF1015 BANK OF NEW YORK COMPANY POLITICAL ACTION COMMITTEE-BNY PAC  
C00185884  
02/07/2003 06/30/2003  
02/07/2003 06/30/2003  
7  
\$550  
\$30,173 (est)  
67  
MR THOMAS J MASTRO  
NY  
0  
2002 YEAR-END  
\$550

*Hilison*



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Monday, September 08, 2003 11:00

BALLOT DEADLINE: Thursday, September 11, 2003 4:00

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

SUBJECT: **Administrative Fines Final Determination Recommendation  
For the 2002 Year End Report. Memorandum from the  
Assistant Staff Director Reports Analysis Division dated  
September 5, 2003.**

- ( ) 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

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Final Determination Recommendation )  
2002 Year End Report for the )  
Administrative Fines Program: )

6667153 60 23  
23 09 254 3999

Federal Election Commission  
Certification for Administrative Fines  
September 11, 2003

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BANK OF NEW YORK COMPANY POLITICAL  
ACTION COMMITTEE-BNY PAC, and MR  
THOMAS J MASTRO as treasurer;

) , AF# 1015  
)  
)

2004-09-11 14:00:00

Federal Election Commission  
Certification for Administrative Fines  
September 11, 2003

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CERTIFICATION

I, Mary W. Dove, Secretary for the Federal Election Commission, do hereby certify that on September 11, 2003, the Commission took the following actions on the Final Determination Recommendation For The 2002 Year End Report in the Administrative Fines Program, as recommended in the Reports Analysis Division's Memorandum dated September 5, 2003, on the following committees:

Federal Election Commission  
Certification for Administrative Fines  
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AF# 1015: Decided by a vote of 6-0 to: (1) make a final determination that BANK OF NEW YORK COMPANY POLITICAL ACTION COMMITTEE-BNY PAC, and MR THOMAS J MASTRO as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

Federal Election Commission  
Certification for Administrative Fines  
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Attest:

September 15, 2003  
Date

Darlene Harris  
for Mary W. Dove  
Secretary of the Commission

SUBSEQUENT TO THE 9/5/03 MEMORANDUM TO THE COMMISSION IN  
WHICH THEY WERE LISTED AS NOT HAVING PAID, THE COMMITTEE IN  
THE FOLLOWING CASE HAS PAID CIVIL PENALTIES:

1015

1015



FOR: BANK OF NEW YORK COMPANY POLITICAL ACTION

FEC ID#: C00185884

AF#: 1015

PAYMENT DUE DATE: 08/09/2003

PAYMENT AMOUNT DUE: \$550

MGMCOMP 18:47 EST

*Please see attached check #1194*

To reply by Mailgram Message, see reverse side for Western Union's toll-free number.

QUALITY IS OUR PRIORITY FOR LOCKBOX 2182  
SEQ# 001 \$ 0000055000 BA# 1 09-16-03 20 9

**us bancorp.**  
The Bank of New York

THE BANK OF NEW YORK POLITICAL ACTION COMMITTEE		No. 1194
September 8, 2003		1113
PAY TO THE ORDER OF: Federal Election Commission	\$ 550.00	
Five hundred fifty and 00/100		DOLLARS
THE BANK OF NEW YORK 48 WALL STREET, NEW YORK, N.Y. 10018		
penalty		

THIS IS THE END OF ADMINISTRATIVE FINE CASE

# 1015

DATE FILMED 10-28-03 CAMERA NO. 3

CAMERAMAN Jim U

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