

THIS IS THE BEGINNING OF ADMINSTRATIVE FINE CASE
AF-1094

DATE FILMED 7-28-84 CAMERA NO. 9

CAMERAMAN JMN

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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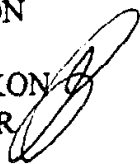
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March 18, 2004


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 – 2003 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 2003 Year End Report in accordance with 2 U.S.C. 434(a). On December 30, 2003, Prior Notice was sent to all political committees and their treasurers, informing them that the Year End Report was due on January 31, 2004.

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 letters.

2025-09-23 14:32

24.09.255.4433

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF01086	PHILIP LOWE FOR CONGRESS	C00364661	PAT JONES	Not Filed	\$496,156 (est)	\$992,312	CA	LOWE, PHILIP A	No	6	\$23,750
AF01087	FRIENDS OF ROGER KAHN INC	C00344556	BARBARA LESSEUR	03/02/2004	\$300,000	\$326,958	GA	KAHN, ROGER F	No	0	\$8,000
AF01089	COHEN FOR NEW HAMPSHIRE	C00384784	JOHN BUCHALSKI	Not Filed	\$151,803 (est)	\$455,411	NH	COHEN, BURTON JOSEPH	No	0	\$5,500
AF01091	MIKE GREENE FOR CONGRESS COMMITTEE	C00372516	JOE T KELLEY	Not Filed	\$117,694 (est)	\$353,083	TN	GREENE, MIKE	No	5	\$10,125
AF01092	DAVID LANGSTON FOR CONGRESS	C00384628	GREGORY OREN TAYLOR	Not Filed	\$293,646 (est)	\$880,940	TX	LANGSTON, DAVID	No	0	\$8,000
AF01094	AMERICANS UNITED IN SUPPORT OF DEMOCRACY	C00113019	DAVID SEMMEL	02/13/2004	\$54,750	\$143,750	IL		No	1	\$1,593

24.09.255.4434

AF #	COMMITTEE NAME	COMMITTEE ID	RECEIPT DATE	TREASURER	DAYS LATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	SENSITIVE	CANDIDATE NAME	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
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AF01097	AMERICA'S POLITICAL ACTION COMMITTEE	C00184143	03/04/2004	MICHAEL BOOS	Not Filed							
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\$68,048

VA
\$141,833

No

0

\$2,700



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Monday, March 22, 2004 11:00

BALLOT DEADLINE: Thursday, March 25, 2004 4:00

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

SUBJECT: Reason To Believe Recommendation – 2003 Year End Report
for the Administrative Fines Program. Memorandum from
the Assistant Staff Director Reports Analysis Division dated
March 18, 2004.

() 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)
)
Reason To Believe Recommendation) AF #1094
2003 Year End Report For The)
Administrative Fines Program.)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on March 25, 2004 the Commission decided by a vote of 4-0 to take the following actions in AF #1094:

1. Find reason to believe that Americans United in Support of Democracy and David Semmel, as Treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be \$1,593.
2. Send the appropriate letter, as recommended in the Reports Analysis Division's Memorandum dated March 18, 2004.

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

Commissioners Thomas and Weintraub did not vote.

Attest:

March 26, 2004
Date

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

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

CONFIRMATION OF CMGM

TO: DAVID SEMMEL

AMERICANS UNITED IN SUPPORT OF DEMOCRACY
350 W HUBBARD ST STE 350
CHICAGO IL 60610-6925

FEDERAL ELECTION COMMISSION

ALAN SHOOK

999 E ST NW # 709

WASHINGTON DC 20463

MARCH 29, 2004

DAVID SEMMEL

AMERICANS UNITED IN SUPPORT OF DEMOCRACY

350 WEST HUBBARD STREET, SUITE 350

CHICAGO IL 60610

CO0113015

AF#: 1094

DEAR DAVID SEMMEL:

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 FILED ON 02/13/2004, 13 DAYS LATE.

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 03/25/2004, THE FEC FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT AMERICANS UNITED IN SUPPORT OF DEMOCRACY 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 \$1593. IT IS DUE BY 05/04/2004 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE

LEVEL OF ACTIVITY: \$54750

NUMBER OF DAYS LATE: 13

NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 1

TO PAY THE CALCULATED CIVIL MONEY PENALTY

TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED REMITTANCE AND YOUR PAYMENT TO THE FEC AT THE ADDRESS ON PAGE 3.


**WESTERN
UNION**
WESTERN UNION COMMERCIAL SERVICES

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 AFF 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 05/04/2004. 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(3)(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 AMERICANS UNITED IN SUPPORT OF DEMOCRACY 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.

ADDITIONAL INFORMATION ON THE FEC'S ADMINISTRATIVE FINE PROGRAM,


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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 ALAN SHOOK IN THE REPORTS ANALYSIS DIVISION AT OUR TOLL FREE NUMBER (800)424-9530 (PRESS 1, THEN PRESS 2) 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,

BRADLEY A. SMITH
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 \$1593 FOR THE 2003 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 05/04/2004. 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: AMERICANS UNITED IN SUPPORT OF DEMOCRACY

FEC ID#: C00113019

AF#: 1094

PAYMENT DUE DATE: 05/04/2004

PAYMENT AMOUNT DUE: \$1593



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2004 MAY 17 A 11:07

May 13, 2004

SENSITIVE

MEMORANDUM

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 2003 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 2003 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.

Four 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, Friends of Roger Kahn Inc. (AF #1087), filed its amended report disclosing no activity. The committee paid the civil money penalty assessed at RTB; we will therefore issue a refund of the total fine amount. Another committee, Cohen for New Hampshire (AF #1089) paid the civil money penalty assessed at RTB. At the time RTB was found, the Senate office had not yet received the committee's filing. According to the Senate office, the committee filed its report on

February 2, 2004, but it was not received by the Senate until April 12, 2004. The committee subsequently filed an amendment disclosing a lower level of activity than estimated at the time RTB was found. Therefore, we will issue a refund of the difference between the amount paid and the amount assessed at final determination. The additional two committees, David Langston for Congress (AF #1092)

each filed reports disclosing a lower level of activity than estimated at the time RTB was found, thereby reducing each of their fines. The actual level of activity and the revised civil money penalties are reflected on the attached lists.

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

24 "09 "255 "4443

FEDERAL ELECTION COMMISSION 2003-2004
FINAL DETERMINATION CIRCULATION REPORT

DATE 05/13/2004
PAGE: 1

AF #	CANDIDATE NAME	RECEIPT DATE	COMMITTEE NAME	COMMITTEE ID	LEVEL OF ACTIVITY	TREASURER	STATE	DATE PAID	PREVIOUS VIOLATIONS	REPORT TYPE	AMOUNT PAID
AF1087	FRIENDS OF ROGER KAHN INC KAHN, ROGER F	03/02/2004	Not Filed	C00344556	\$0	BARBARA LESSEUR	GA	04/20/2004	0	2003 YEAR-END	\$8,000
AF1089	COHEN FOR NEW HAMPSHIRE COHEN, BURTON JOSEPH	02/02/2004	2	C00384784	\$137,943	JOHN BUCHALSKI	NH	05/05/2004	0	2003 YEAR-END	\$5,500
AF1094	AMERICANS UNITED IN SUPPORT OF DEMOCRACY	02/13/2004	13	C00113019	\$58,750	DAVID SEMMEL	IL	05/03/2004	1	2003 YEAR-END	\$1,593
AF1097	AMERICA'S POLITICAL ACTION COMMITTEE	03/04/2004	Not Filed	C00184143	\$68,048	MICHAEL ROOS	VA	05/05/2004	0	2003 YEAR-END	\$2,700

COMMITTEES THAT HAVE NOT PAID

2014-09-25 15:44:44

24.09.255.445

FEDERAL ELECTION COMMISSION 2003-2004
FINAL DETERMINATION CIRCULATION REPORT

DATE 05/13/2004
PAGE: 1

AF #	CANDIDATE NAME	RECEIPT DATE	COMMITTEE NAME	RTB DATE	DAYS LATE	COMMITTEE ID	TREASURER	STATE	NOT PAID	REPORT TYPE	PREVIOUS VIOLATIONS	FINAL CIVIL MONEY PENALTY

AF1086	PHILIP LOWE FOR CONGRESS					C00364661	PAT JONES	CA		2003 YEAR-END	6	\$23,750
	LOWE, PHILIP A						\$496,156 (est)					
	Not Filed	03/25/2004					49					

AF1091	MIKE GREENE FOR CONGRESS					C00372516	JOE T KELLEY	TN		2003 YEAR-END	5	\$10,125
	GREENE, MIKE						\$117,694 (est)					
	Not Filed	03/25/2004					49					

AF1092	DAVID LANGSTON FOR CONGRESS					C00384628	GREGORY OREN TAYLOR	TX		2003 YEAR-END	0	\$0
	LANGSTON, DAVID						\$0					
	Not Filed	03/25/2004					49					



FEDERAL ELECTION COMMISSION

Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Monday, May 17, 2004 4:00

BALLOT DEADLINE: Thursday, May 20, 2004 4:00

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

SUBJECT: **Administrative Fines Final Determination Recommendation For The 2003 Year End Report. Memorandum from the Assistant Staff Director, Reports Analysis Division dated May 13, 2004.**

() 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)
)
Administrative Fines Final Determination) AF #1094
Recommendation For The 2003 Year)
End Report: Americans United in)
Support of Democracy and David)
Semmel, as treasurer.)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on May 20, 2004, the Commission decided by a vote of 6-0 to take the
following actions in AF #1094:

1. Make a final determination that Americans United in Support of
Democracy and David Semmel, as treasurer violated 2 U.S.C. 434(a)
and assess the civil money penalty of \$1,593.
2. Send the appropriate letters, as recommended in the Reports
Analysis Division's Memorandum dated May 13, 2004.

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

Attest:

May 21, 2004
Date

Darlene Harris
for Mary W. Dove
Secretary of the Commission

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES
CONFIRMATION OF MAILGRAM TO: DAVID SEMMEL
AMERICANS UNITED IN SUPPORT OF DEMOCRACY
350 W HUBBARD ST STE 350
CHICAGO IL 60610-6925

FEDERAL ELECTION COMMISSION
ALAN SHOOK
999 E ST NW # 709
WASHINGTON DC 20463

MAY 24, 2004

DAVID SEMMEL
AMERICANS UNITED IN SUPPORT OF DEMOCRACY
350 WEST HUBBARD STREET, SUITE 350
CHICAGO IL 60610

C00113019
AF#: 1094

DEAR DAVID SEMMEL:

ON 03/25/2004, THE FEDERAL ELECTION COMMISSION ("FEC") FOUND REASON TO BELIEVE ("RTB") THAT AMERICANS UNITED IN SUPPORT OF DEMOCRACY AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FILING LATE OR FAILING TO FILE THE 2003 YEAR-END REPORT. BY MAILGRAM DATED 03/29/2004, THE FEC SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE OF \$1593 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43. ON 05/03/2004, THE FEC RECEIVED PAYMENT OF YOUR CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE. THEREFORE, THE FEC MADE A FINAL DETERMINATION ON 05/20/2004 THAT YOU, AS TREASURER, AND AMERICANS UNITED IN SUPPORT OF DEMOCRACY VIOLATED 2 U.S.C. 434(A), ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$1593 IN ACCORDANCE WITH 11 C.F.R. 111.43, AND VOTED TO CLOSE THE FILE.

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 THIS MATTER, PLEASE CONTACT ALAN SHOOK ON OUR TOLL FREE NUMBER (800)424-9530 (PRESS 1, THEN PRESS 2) OR (202)694-1130.

SINCERELY,
BRADLEY A. SMITH
CHAIRMAN

FOR: AMERICANS UNITED IN SUPPORT OF DEMOCRACY

FEC ID#: C00113019

AF#: 1094

PAYMENT DUE DATE: 05/04/2004

PAYMENT AMOUNT DUE: \$1593

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

QUALITY IS OUR PRIORITY FOR LOCKBOX 2182
SEQ# 001 \$ 0000159300 BA# 1 05-03-04 20 9

usbankcorp.

AUSD		BANK ONE, NA CHICAGO, ILLINOIS 60670 2-1-710		401
PAY TO THE ORDER OF	Federal Election Commission			4/23/04
	one Thousand, Five hundred + Ninety Three			\$ 1,593 ⁰⁰ / ₁₀₀
				DOLLARS
MEMO	M L			

THIS IS THE END OF ADMINISTRATIVE FINE CASE

AF-1094

DATE FILMED 7-22-04 CAMERA NO. 3

CAMERAMAN JMN

24.09.255.4450