



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1149

DATE SCANNED 11/4/05

SCANNER NO. 2

SCAN OPERATOR S.E.G

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2004 AUG 25 A 10:03  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2004 AUG 25 A 10:03

MEMORANDUM

August 24, 2004

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 JULY  
QUARTERLY REPORT FOR THE ADMINISTRATIVE  
FINES PROGRAM

**SENSITIVE**

Attached is a list of political committees and their treasurers who failed to file, or failed to timely file, the 2004 July Quarterly Report in accordance with 2 U.S.C. 434(a). The July Quarterly Report covers the time frame from April 1, 2004 through June 30, 2004.

On June 21, 2004, Prior Notice was sent to all authorized committees and their treasurers, informing them that the July Quarterly Report was due on July 15, 2004. Prior Notice was sent to only 1/3 of all registered unauthorized committees on June 21, 2004, due to a vendor oversight. On July 9, 2004 the Information Office was made aware of this error and enlisted the Data Office to send an e-mail notification to all unauthorized committees, who were electronic filers, to remind them of the July Quarterly reporting deadline. A possibility exists that a few unauthorized committees, who were paper filers, may not have received their Prior Notice in a timely fashion. Given the fact that reporting deadlines are accessible via the web and reported within other FEC distributed materials (monthly newsletter, welcome package, etc.), RAD has not discounted any committees from inclusion within the Administrative Fine Program due to non-receipt of the Prior Notice.

The committees listed in the attached RTB Circulation Report either failed to file the report or filed the report more than five (5) days after the due date. In accordance with the schedule of civil money penalties located within 11 CFR §111.43, these committees should be assessed the civil money penalties highlighted on the report attached.

## **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 RTB mailgrams.

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FEDERAL ELECTION COMMISSION 2003-2004  
Reason to Believe Circulation Report  
2004 JULY QUARTERLY

| AP #    | COMMITTEE NAME          | COMMITTEE ID | TREASURER         | RECEIPT DATE | DAYS LATE | LEVEL OF ACTIVITY | THRESHOLD AMOUNT | STATE | CANDIDATE NAME    | SENSITIVE | PREVIOUS VIOLATIONS | CIVIL MONEY PENALTY |
|---------|-------------------------|--------------|-------------------|--------------|-----------|-------------------|------------------|-------|-------------------|-----------|---------------------|---------------------|
| AF01144 | CITIZENS FOR COCHRAN    | C00091892    | JOHN M ROBINSON   | 07/28/2004   | 13        | \$62,729          | \$310,954        | MS    | COCHRAN, THAD     | No        | 0                   | \$1,275             |
| AF01145 | NADEAU FOR CONGRESS     | C00401984    | PHILIP MCLAUGHLIN | 07/21/2004   | 6         | \$193,196         | \$193,196        | NH    | NADEAU, JUSTIN    | No        | 0                   | \$1,700             |
| AF01148 | FRIST 2000 INC          | C00301150    | LINUS D CATIGNANI | 07/28/2004   | 13        | \$64,868          | \$355,062        | TN    | FRIST, WILLIAM H  | No        | 0                   | \$1,275             |
| AF01149 | TASHENBERG FOR CONGRESS | C00395707    | DANIELLE BREAUX   | 08/07/2004   | 23        | \$10,768          | \$484,509        | TX    | TASHENBERG, BRAD  | No        | 0                   | \$215               |
| AF01150 | PAT NEAL FOR CONGRESS   | C00330753    | MARTY KREISLER    | Not Filed    |           | \$99,090 (est)    | \$495,452        | CA    | NEAL, PAT         | No        | 0                   | \$3,500             |
| AF01151 | COWAN FOR US SENATE     | C00396151    | HOWARD WAGNER     | Not Filed    |           | \$167,401 (est)   | \$837,008        | KY    | COWAN, FREDERIC J | No        | 0                   | \$5,500             |

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FEDERAL ELECTION COMMISSION 2003-2004  
Reason to Believe Circulation Report  
2004 JULY QUARTERLY

DATE 08/24/2004  
PAGE: 2

| AF #    | COMMITTEE NAME                                 | COMMITTEE ID | TREASURER                | RECEIPT DATE | DAYS LATE | LEVEL OF ACTIVITY | THRESHOLD AMOUNT | STATE | CANDIDATE NAME            | SENSITIVE | PREVIOUS VIOLATIONS | CIVIL MONEY PENALTY |
|---------|--|--------------|--------------------------|--------------|-----------|-------------------|------------------|-------|---------------------------|-----------|---------------------|---------------------|
| AF01152 | STEPHANIE SUMMERS O'NEAL FOR US CONGRESS       | C00395863    | DEBORAH JOHNSON THORNTON | Not Filed    |           | \$93,718 (est)    | \$110,474        | MS    | SUMMERS-O'NEAL, STEHPANIE | No        | 1                   | \$4,375             |
| AF01153 | HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE | C00393538    | GEORGE L ESPADA          | Not Filed    |           | \$789,293 (est)   | \$789,293        | NY    | HIRSCHFELD, ABRAHAM J     | No        | 1                   | \$13,750            |
| AF01155 | VIRGIL YANTA FOR CONGRESS                      | C00395129    | KAROL K YANTA            | Not Filed    |           | \$73,661 (est)    | \$147,323        | TX    | YANTA, VIRGIL WILLIAM     | No        | 0                   | \$2,700             |
| AF01156 | LETICIA HINOJOSA FOR CONGRESS                  | C00394577    | Meadows, Kandii          | Not Filed    |           | \$425,985 (est)   | \$851,970        | TX    | HINOJOSA, LETICIA         | No        | 0                   | \$9,000             |
| AF01157 | OHIO COAL PAC                                  | C00381277    | Carey, Michael           | 22           |           | \$5,625           | \$127,410        | OH    |                           | No        | 0                   | \$160               |
| AF01158 | OHIO PROVIDER RESOURCE ASSOCIATION PAC         | C00387282    | Corcoran, Maureen        | 21           |           | \$23,593          | \$123,221        | OH    |                           | No        | 0                   | \$205               |
| AF01160 | FRIENDS OF FERRIS                              | C00279182    | ROBERT A. BOYCE          | 7            |           | \$9,709           | \$210,531        | MI    |                           | No        | 1                   | \$106               |
| AF01161 | INDIANA DENTAL PAC                             | C00082636    | RAYMOND M MADDOX         | 18           |           | \$23,902          | \$113,034        | IN    |                           | No        | 3                   | \$332               |

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FEDERAL ELECTION COMMISSION 2003-2004  
Reason to Believe Circulation Report  
2004 JULY QUARTERLY

DATE 08/24/2004  
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| AF #    | COMMITTEE NAME   | COMMITTEE ID | TREASURER             | RECEIPT DATE | DAYS LATE | LEVEL OF ACTIVITY | THRESHOLD AMOUNT | STATE | CANDIDATE NAME | SENSITIVE | PREVIOUS VIOLATIONS | CIVIL MONEY PENALTY |
|---------|--|--------------|-----------------------|--------------|-----------|-------------------|------------------|-------|----------------|-----------|---------------------|---------------------|
| AF01162 | MAGAZINE PUBLISHERS OF AMERICA PAC FKA MAGAZINE PUBLISHERS ASSOCIA | DC           | JAMES R CREGAN        | 26           |           | \$35,257          | \$155,120        |       | No             |           | 1                   | \$900               |
| AF01163 | NATSO PAC  | VA           | Fay, William D.       | 11           |           | \$44,508          | \$238,212        |       | No             |           | 0                   | \$420               |
| AF01165 | RCG PAC  | IN           | DAVID DILL            | 13           |           | \$51,425          | \$110,226        |       | No             |           | 0                   | \$1,275             |
| AF01166 | REGENCE BLUEPAC  | UT           | R PAUL WARBURTON      | 7            |           | \$19,194          | \$153,319        |       | No             |           | 1                   | \$168               |
| AF01167 | STEAMFITTERS LOCAL 475 POLITICAL ACTION COMMITTEE                  | NJ           | James Higgins         | 11           |           | \$89,543          | \$340,176        |       | No             |           | 0                   | \$1,500             |
| AF01168 | WESTERN UNITED DAIRYMEN'S ASSOCIATION FEDERAL POLITICAL ACTION CO  | CA           | TOM MENDES            | 6            |           | \$67,541          | \$155,515        |       | No             |           | 0                   | \$750               |
| AF01169 | DRAFT CLARK 2004 FOR PRESIDENT COMMITTEE                           | CA           | GEORGE OTEY           |              |           | \$109,220 (est)   | \$218,440        |       | No             |           | 0                   | \$4,500             |
| AF01170 | SOUTHEAST ANESTHESIA ASSOCIATES POLITICAL ACTION COMMITTEE         | NC           | H ARTHUR MCCULLOCH MD |              |           | \$33,825 (est)    | \$101,475        |       | No             |           | 0                   | \$900               |
| AF01171 | COLONIAL BANCGROUP INC FEDERAL POLITICAL ACTION COMMITTEE (COLONI  | AL           | GLEND A ALLRED        |              |           | \$30,778          | \$110,931        |       | No             |           | 1                   | \$1,125             |

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FEDERAL ELECTION COMMISSION 2003-2004  
Reason to Believe Circulation Report  
2004 JULY QUARTERLY

DATE 08/24/2004  
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| AF #    | COMMITTEE NAME   | COMMITTEE ID | TREASURER         | RECEIPT DATE | LEVEL OF ACTIVITY | THRESHOLD AMOUNT | STATE | CANDIDATE NAME | SENSITIVE | PREVIOUS VIOLATIONS | CIVIL MONEY PENALTY |
|---------|--|--------------|-------------------|--------------|-------------------|------------------|-------|----------------|-----------|---------------------|---------------------|
|         |  |              |                   |              |                   |                  |       |                |           |                     |                     |
| AF01172 | CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC) | C00147512    | Arthur R. Collins | Not Filed    | \$126,268 (est)   | \$378,805        | DC    | No             | 3         |                     | \$7,875             |
| AF01173 | LINCOLN CLUB OF RIVERSIDE COUNTY                               | C00241323    | KATHLEEN A DALEY  | Not Filed    | \$44,099 (est)    | \$207,596        | CA    | No             | 0         |                     | \$900               |



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Wednesday, August 25, 2004 11:00

**BALLOT DEADLINE: Thursday, September 09, 2004 4:00**

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

**SUBJECT: Reason to Believe Recommendation – 2004 July Quarterly Report for the Administrative Fines Program. Memorandum from the Assistant Staff Director Reports Analysis Division dated August 24, 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 - 2004 )  
July Quarterly Report for the Administrative )  
Fines Program: )

CITIZENS FOR COCHRAN, and JOHN M ) AF# 1144  
ROBINSON as treasurer; )  
NADEAU FOR CONGRESS, and PHILIP ) AF# 1145  
MCLAUGHLIN as treasurer; )

FRIST 2000 INC, and LINUS D ) AF# 1148  
CATIGNANI as treasurer; )  
TASHENBERG FOR CONGRESS, and ) AF# 1149  
DANIELLE BREAUX as treasurer; )  
PAT NEAL FOR CONGRESS, and ) AF# 1150  
MARTY KREISLER as treasurer; )  
COWAN FOR US SENATE, and ) AF# 1151  
HOWARD WAGNER as treasurer; )  
STEPHANIE SUMMERS O'NEAL FOR ) AF# 1152  
US CONGRESS, and DEBORAH )  
JOHNSON THORNTON as treasurer; )  
HONEST ABE HIRSCHFELD FOR ) AF# 1153  
UNITED STATES SENATE, and )  
GEORGE L ESPADA as treasurer; )

VIRGIL YANTA FOR CONGRESS, and ) AF# 1155  
KAROL K YANTA as treasurer; )  
LETICIA HINOJOSA FOR CONGRESS, ) AF# 1156  
and Meadows, Kandii as treasurer; )

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Federal Election Commission  
Certification for Administrative Fines  
September 09, 2004

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OHIO COAL PAC, and Carey, Michael as ) AF# 1157  
treasurer; )  
OHIO PROVIDER RESOURCE ) AF# 1158  
ASSOCIATION PAC, and Corcoran, )  
Maureen as treasurer; )

FRIENDS OF FERRIS, and ROBERT A. ) AF# 1160  
BOYCE as treasurer; )  
INDIANA DENTAL PAC, and ) AF# 1161  
RAYMOND M MADDOX as treasurer; )  
MAGAZINE PUBLISHERS OF ) AF# 1162  
AMERICA PAC FKA MAGAZINE )  
PUBLISHES ASSOCIATION PAC, and )  
JAMES R CREGAN as treasurer; )  
NATSO PAC, and Fay, William D. as ) AF# 1163  
treasurer; )

RCG PAC, and DAVID DILL as treasurer; ) AF# 1165  
REGENCE BLUEPAC, and R PAUL ) AF# 1166  
WARBURTON as treasurer; )  
STEAMFITTERS LOCAL 475 ) AF# 1167  
POLITICAL ACTION COMMITTEE, and )  
James Higgins as treasurer; )  
WESTERN UNITED DAIRYMEN'S ) AF# 1168  
ASSOCIATION FEDERAL POLITICAL )  
ACTION COMMITTEE, and TOM )  
MENDES as treasurer; )  
DRAFT CLARK 2004 FOR PRESIDENT ) AF# 1169  
COMMITTEE, and GEORGE OTEY as )  
treasurer; )  
SOUTHEAST ANESTHESIA ) AF# 1170  
ASSOCIATES POLITICAL ACTION )  
COMMITTEE, and H ARTHUR )  
MCCULLOCH MD as treasurer; )  
COLONIAL BANGROUP INC ) AF# 1171  
FEDERAL POLITICAL ACTION )  
COMMITTEE (COLONIAL FED PAC), )  
and GLENDA ALLRED as treasurer; )  
CONGRESSIONAL BLACK CAUCUS ) AF# 1172  
POLITICAL ACTION )  
COMMITTEE(CBC-PAC), and Arthur R. )  
Collins as treasurer; )

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LINCOLN CLUB OF RIVERSIDE ) AF# 1173  
COUNTY, and KATHLEEN A DALEY as )  
treasurer; )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby  
certify that on September 09, 2004 the Commission took the following actions on the  
Reason To Believe Recommendation - 2004 July Quarterly Report for the Administrative  
Fines Program as recommended in the Reports Analysis Division's Memorandum dated  
August 24, 2004, on the following committees:

AF#1144 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS  
FOR COCHRAN, and JOHN M ROBINSON 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 RTB mailgrams. Commissioners Mason,  
McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1145 Decided by a vote of 6-0 to: (1) find reason to believe that NADEAU FOR  
CONGRESS, and PHILIP MCLAUGHLIN 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 RTB mailgrams. Commissioners Mason,  
McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF#1148 Decided by a vote of 6-0 to: (1) find reason to believe that FRIST 2000 INC, and LINUS D CATIGNANI 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1149 Decided by a vote of 6-0 to: (1) find reason to believe that TASHENBERG FOR CONGRESS, and DANIELLE BREAU 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1150 Decided by a vote of 6-0 to: (1) find reason to believe that PAT NEAL FOR CONGRESS, and MARTY KREISLER 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1151 Decided by a vote of 6-0 to: (1) find reason to believe that COWAN FOR US SENATE, and HOWARD WAGNER 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1152 Decided by a vote of 6-0 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1153 Decided by a vote of 6-0 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1155 Decided by a vote of 6-0 to: (1) find reason to believe that VIRGIL YANTA FOR CONGRESS, and KAROL K YANTA 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1156 Decided by a vote of 6-0 to: (1) find reason to believe that LETICIA HINOJOSA FOR CONGRESS, and Meadows, Kandii 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1157 Decided by a vote of 6-0 to: (1) find reason to believe that OHIO COAL PAC, and Carey, Michael as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1158 Decided by a vote of 6-0 to: (1) find reason to believe that OHIO PROVIDER RESOURCE ASSOCIATION PAC, and Corcoran, Maureen 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF#1160 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF FERRIS, and ROBERT A. BOYCE 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1161 Decided by a vote of 6-0 to: (1) find reason to believe that INDIANA DENTAL PAC, and RAYMOND M MADDOX 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1162 Decided by a vote of 6-0 to: (1) find reason to believe that MAGAZINE PUBLISHERS OF AMERICA PAC FKA MAGAZINE PUBLISHES ASSOCIATION PAC, and JAMES R CREGAN 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1163 Decided by a vote of 6-0 to: (1) find reason to believe that NATSO PAC, and Fay, William D. 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1165 Decided by a vote of 6-0 to: (1) find reason to believe that RCG PAC, and DAVID DILL 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1166 Decided by a vote of 6-0 to: (1) find reason to believe that REGENCE BLUEPAC, and R PAUL WARBURTON 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1167 Decided by a vote of 6-0 to: (1) find reason to believe that STEAMFITTERS LOCAL 475 POLITICAL ACTION COMMITTEE, and James Higgins 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1168 Decided by a vote of 6-0 to: (1) find reason to believe that WESTERN UNITED DAIRYMEN'S ASSOCIATION FEDERAL POLITICAL ACTION COMMITTEE, and TOM MENDES 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1169 Decided by a vote of 6-0 to: (1) find reason to believe that DRAFT CLARK 2004 FOR PRESIDENT COMMITTEE, and GEORGE OTEY 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1170 Decided by a vote of 6-0 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; (2) send the appropriate RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1171 Decided by a vote of 6-0 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1172 Decided by a vote of 6-0 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1173 Decided by a vote of 6-0 to: (1) find reason to believe that LINCOLN CLUB OF RIVERSIDE COUNTY, and KATHLEEN A DALEY 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 RTB mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

Attest:

September 9, 2004  
Date

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

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F.E.C. RTB  
999 E Street, NW  
Washington, DC 20463

**WESTERN  
UNION**  
Messaging Services

**MAILGRAM<sup>®</sup>**



**UNITED STATES  
POSTAL SERVICE**

113598000305 09/16/04  
EM16105

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SUSPECTED DUPLICATE



CERTIFIED RETURN RECEIPT P 910 153 731  
DANIELLE BREAUX  
TASHENBERG FOR CONGRESS  
1001 S MASON RD  
KATY TX 77450-3840

\*\*\*\*CERTIFIED\*\*\*\*

September 10, 2004

DANIELLE BREAUX  
TASHENBERG FOR CONGRESS  
1001 MASON ROAD  
KATY TX 77450

C00395707  
AF#: 1149

Dear DANIELLE BREAUX:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through June 30th, shall be filed no later than July 15th. 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 08/07/2004, 23 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 09/09/2004, the FEC found that there is reason to believe ("RTB") that TASHENBERG FOR CONGRESS and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before July 15th. Based on the FEC's schedules of civil money penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at the RTB stage is \$215. It is due by 10/19/2004 and is based on these factors:

Election Sensitivity of Report: Not election sensitive  
Level of Activity: \$10768  
Number of Days Late: 23  
Number of Previous Civil Money Penalties Assessed: 0

To Pay the Calculated Civil Money Penalty

To pay the calculated civil money penalty, send the enclosed remittance and your payment to the FEC at the address on page 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 10/19/2004. 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(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 TASHENBERG FOR CONGRESS and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

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

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

**WESTERN  
UNION**  
Messaging Services**MAILGRAM®****UNITED STATES  
POSTAL SERVICE**

Additional information on the FEC's administrative fine program, including the final regulations, is located at the FEC's website at [www.FEC.gov](http://www.FEC.gov). If you have questions regarding the payment of the calculated civil money penalty, please contact Dayna C. Brown 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 \$215 for the 2004 JULY QUARTERLY Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:  
Federal Election Commission  
P.O. Box 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 10/19/2004. 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: TASHENBERG FOR CONGRESS

FEC ID#: C00395707

AF#: 1149

PAYMENT DUE DATE: 10/19/2004

PAYMENT AMOUNT DUE: \$215

MGMCOMP 16:48 EST



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2004 NOV -2 A 10:55

November 1, 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: ADMINISTRATIVE FINES FINAL DETERMINATION  
RECOMMENDATION FOR THE 2004 JULY QUARTERLY  
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 2004 July Quarterly Report. The first list represents the 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 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.

For your information, three committees each filed their reports after the date of the RTB circulation memo, where the actual level of activity disclosed on the reports is substantially less than that which was estimated at RTB, resulting in civil money penalties which are lower than that assessed at RTB. Cowan for US Senate (AF #1151) disclosed \$2,434 in activity, lowering the fine from \$5,500 to \$250. Leticia Hinojosa for Congress (AF #1156) disclosed \$4,000 in activity, lowering the fine from \$9,000 to \$250.

Congressional Black Caucus PAC (AF #1172) disclosed \$41,791 in activity, lowering the fine from \$7,875 to \$1,575.

**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.

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25092583000

**COMMITTEES THAT HAVE PAID**

25092583001

DATE 10/29/2004  
PAGE: 1FEDERAL ELECTION COMMISSION 2003-2004  
FINAL DETERMINATION CIRCULATION REPORT

PAID

| AF #   | COMMITTEE NAME   | RECEIPT DATE | DAYS LATE | COMMITTEE ID | TREASURER             | STATE | DATE PAID  | PREVIOUS VIOLATIONS | REPORT TYPE         | AMOUNT PAID |
|--------|--|--------------|-----------|--------------|-----------------------|-------|------------|---------------------|---------------------|-------------|
| AF1145 | NADEAU FOR CONGRESS  |              |           | C00401984    | PHILIP MCLAUGHLIN     | NH    |            | 0                   | 2004 JULY QUARTERLY |             |
|        | NADEAU, JUSTIN   | 07/21/2004   | 6         |              | \$193,196             |       | 10/20/2004 |                     |                     | \$1,700     |
|        |  | 09/09/2004   |           |              | \$1,700               |       |            |                     |                     |             |
| AF1148 | FRIST 2000 INC   |              |           | C00301150    | LINUS D CATIGNANI     | TN    |            | 0                   | 2004 JULY QUARTERLY |             |
|        | FRIST, WILLIAM H   | 07/28/2004   | 13        |              | \$64,868              |       | 10/12/2004 |                     |                     | \$1,275     |
|        |  | 09/09/2004   |           |              | \$1,275               |       |            |                     |                     |             |
| AF1158 | OHIO PROVIDER RESOURCE ASSOCIATION PAC                                     |              |           | C00387282    | Corcoran, Maureen     | OH    |            | 0                   | 2004 JULY QUARTERLY |             |
|        |  | 08/05/2004   | 21        |              | \$23,593              |       | 10/07/2004 |                     |                     | \$205       |
|        |  | 09/09/2004   |           |              | \$205                 |       |            |                     |                     |             |
| AF1160 | FRIENDS OF FERRIS  |              |           | C00279182    | ROBERT A. BOYCE       | MI    |            | 1                   | 2004 JULY QUARTERLY |             |
|        |  | 07/22/2004   | 7         |              | \$9,709               |       | 10/05/2004 |                     |                     | \$106       |
|        |  | 09/09/2004   |           |              | \$106                 |       |            |                     |                     |             |
| AF1162 | MAGAZINE PUBLISHERS OF AMERICA PAC FKA MAGAZINE PUBLISHERS ASSOCIATION PAC |              |           | C00035774    | JAMES R CREGAN        | DC    |            | 1                   | 2004 JULY QUARTERLY |             |
|        |  | 08/10/2004   | 26        |              | \$35,257              |       | 10/21/2004 |                     |                     | \$900       |
|        |  | 09/09/2004   |           |              | \$900                 |       |            |                     |                     |             |
| AF1163 | NATSO PAC  |              |           | C00097865    | Fay, William D.       | VA    |            | 0                   | 2004 JULY QUARTERLY |             |
|        |  | 07/26/2004   | 11        |              | \$44,508              |       | 09/22/2004 |                     |                     | \$420       |
|        |  | 09/09/2004   |           |              | \$420                 |       |            |                     |                     |             |
| AF1166 | REGENCE BLUEPAC  |              |           | C00252684    | R PAUL WARBURTON      | UT    |            | 1                   | 2004 JULY QUARTERLY |             |
|        |  | 07/22/2004   | 7         |              | \$19,194              |       | 10/01/2004 |                     |                     | \$168       |
|        |  | 09/09/2004   |           |              | \$168                 |       |            |                     |                     |             |
| AF1167 | STEAMFITTERS LOCAL 475 POLITICAL ACTION COMMITTEE                          |              |           | C00252395    | James Higgins         | NJ    |            | 0                   | 2004 JULY QUARTERLY |             |
|        |  | 07/26/2004   | 11        |              | \$89,543              |       | 10/01/2004 |                     |                     | \$1,500     |
|        |  | 09/09/2004   |           |              | \$1,500               |       |            |                     |                     |             |
| AF1168 | WESTERN UNITED DAIRYMEN'S ASSOCIATION FEDERAL POLITICAL ACTION COMMITTEE   |              |           | C00186072    | TOM MENDES            | CA    |            | 0                   | 2004 JULY QUARTERLY |             |
|        |  | 07/21/2004   | 6         |              | \$67,541              |       | 10/20/2004 |                     |                     | \$750       |
|        |  | 09/09/2004   |           |              | \$750                 |       |            |                     |                     |             |
| AF1170 | SOUTHEAST ANESTHESIA ASSOCIATES POLITICAL ACTION COMMITTEE                 |              |           | C00306878    | H ARTHUR MCCULLOCH MD | NC    |            | 0                   | 2004 JULY QUARTERLY |             |
|        |  | Not Filed    |           |              | \$33,825 (est)        |       | 10/13/2004 |                     |                     | \$900       |
|        |  | 09/09/2004   |           |              | \$900                 |       |            |                     |                     |             |

25092583002

FEDERAL ELECTION COMMISSION 2003-2004  
FINAL DETERMINATION CIRCULATION REPORT

DATE 10/29/2004  
PAGE: 2

| AF # | COMMITTEE NAME | RECEIPT DATE | DAYS LATE | REASON TO BELIEVE DATE | COMMITTEE ID | TREASURER | STATE | REPORT TYPE | PREVIOUS VIOLATIONS | DATE PAID | AMOUNT PAID |
|------|----------------|--------------|-----------|------------------------|--------------|-----------|-------|-------------|---------------------|-----------|-------------|
|------|----------------|--------------|-----------|------------------------|--------------|-----------|-------|-------------|---------------------|-----------|-------------|

|        |                       |            |           |  |           |                |    |                     |  |  |         |
|--------|-----------------------|------------|-----------|--|-----------|----------------|----|---------------------|--|--|---------|
| AF1171 | COLONIAL BANGROUP INC | 08/16/2004 | Not Filed |  | C00309526 | GLENDIA ALLRED | AL | 2004 JULY QUARTERLY |  |  |         |
|        |                       | 09/09/2004 |           |  |           | \$30,778       |    |                     |  |  |         |
|        |                       |            |           |  |           | \$1,125        |    |                     |  |  | \$1,125 |



25092583003

## COMMITTEES THAT HAVE NOT PAID

| AF #           | COMMITTEE NAME | COMMITTEE ID | TREASURER         | REPORT TYPE               |
|----------------|----------------|--------------|-------------------|---------------------------|
| CANDIDATE NAME | RECEIPT DATE   | DAYS LATE    | LEVEL OF ACTIVITY | PREVIOUS VIOLATIONS       |
|                |                | RTB DATE     | RTB PENALTY       | FINAL CIVIL MONEY PENALTY |
|                |                |              | DAYS SINCE RTB    | STATE                     |

[illegible]

DATE 10/29/2004  
PAGE: 2

**FEDERAL ELECTION COMMISSION 2003-2004  
FINAL DETERMINATION CIRCULATION REPORT  
NOT PAID**

| AF # | CANDIDATE NAME | COMMITTEE NAME | COMMITTEE ID      | TREASURER      | STATE | REPORT TYPE               |
|------|----------------|----------------|-------------------|----------------|-------|---------------------------|
|      | RECEIPT DATE   | DAYS LATE      | LEVEL OF ACTIVITY | DAYS SINCE RTB |       | PREVIOUS VIOLATIONS       |
|      |                | RTB DATE       | RTB PENALTY       |                |       | FINAL CIVIL MONEY PENALTY |

| AF1172     | CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC) | DC                | 2004 JULY QUARTERLY |
|------------|--|-------------------|---------------------|
| 09/27/2004 | Not Filed  | 3                 |                     |
|            | C00147512  | Arthur R. Collins |                     |
|            |  | \$41,791          |                     |
|            |  | \$7,875           |                     |
|            |  | 50                | \$1,575             |



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Wednesday, November 03, 2004 11:00

BALLOT DEADLINE: Monday, November 08, 2004 4:00

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

SUBJECT: **Administrative Fines Final Determination Recommendation for the 2004 July Quarterly Report. Memorandum from the Assistant Staff Director Reports Analysis Division dated November 1, 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

25092583006

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Administrative Fines Final Determination )  
Recommendation for the 2004 July )  
Quarterly Report: )

TASHENBERG FOR CONGRESS, and ) AF# 1149  
DANIELLE BREAUX as treasurer; )  
COWAN FOR US SENATE, and ) AF# 1151  
HOWARD WAGNER as treasurer; )  
STEPHANIE SUMMERS O'NEAL FOR ) AF# 1152  
US CONGRESS, and DEBORAH )  
JOHNSON THORNTON as treasurer; )  
HONEST ABE HIRSCHFELD FOR ) AF# 1153  
UNITED STATES SENATE, and )  
GEORGE L ESPADA as treasurer; )  
VIRGIL YANTA FOR CONGRESS, and ) AF# 1155  
KAROL K YANTA as treasurer; )  
LETICIA HINOJOSA FOR CONGRESS, ) AF# 1156  
and Meadows, Kandii as treasurer; )  
OHIO COAL PAC, and Carey, Michael as ) AF# 1157  
treasurer; )  
INDIANA DENTAL PAC, and ) AF# 1161  
RAYMOND M MADDOX as treasurer; )  
RCG PAC, and DAVID DILL as treasurer; ) AF# 1165  
CONGRESSIONAL BLACK CAUCUS ) AF# 1172  
POLITICAL ACTION )  
COMMITTEE(CBC-PAC), and Arthur R. )  
Collins as treasurer; )

25092583007

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on November 08, 2004 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the 2004 July Quarterly Report as recommended in the Reports Analysis Division's Memorandum dated November 01, 2004, on the following committees:

AF#1149 Decided by a vote of 6-0 to: (1) make a final determination that TASHENBERG FOR CONGRESS, and DANIELLE BREAUX as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1151 Decided by a vote of 6-0 to: (1) make a final determination that COWAN FOR US SENATE, and HOWARD WAGNER as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1152 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 mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1153 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 mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

2509253008

AF#1155 Decided by a vote of 6-0 to: (1) make a final determination that VIRGIL YANTA FOR CONGRESS, and KAROL K YANTA as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1156 Decided by a vote of 6-0 to: (1) make a final determination that LETICIA HINOJOSA FOR CONGRESS, and Meadows, Kandii as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1157 Decided by a vote of 6-0 to: (1) make a final determination that OHIO COAL PAC, and Carey, Michael as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1161 Decided by a vote of 6-0 to: (1) make a final determination that INDIANA DENTAL PAC, and RAYMOND M MADDOX as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1165 Decided by a vote of 6-0 to: (1) make a final determination that RCG PAC, and DAVID DILL as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1172 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 mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

Attest:

November 9, 2004  
Date

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

25092583009

**WESTERN  
UNION.**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES  
TO: DANIELLE BREAUX  
TASHENBERG FOR CONGRESS  
1001 S MASON RD  
KATY TX 77450-3840

FEDERAL ELECTION COMMISSION  
DAYNA BROWN  
999 E ST NW # 709  
WASHINGTON DC 20463

NOVEMBER 12, 2004

DANIELLE BREAUX  
TASHENBERG FOR CONGRESS  
1001 MASON ROAD  
KATY TX 77450

C00395707  
AF# 1149

DEAR DANIELLE BREAUX,

ON 09/09/2004, THE FEDERAL ELECTION COMMISSION ("FEC") FOUND REASON TO BELIEVE ("RTB") THAT TASHENBERG FOR CONGRESS AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO TIMELY FILE THE 2004 JULY QUARTERLY REPORT. BY MAILGRAM DATED 09/10/2004, THE FEC SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE OF \$215 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.

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 11/08/2004 THAT YOU, AS TREASURER, AND TASHENBERG FOR CONGRESS VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$215 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: \$10768

NUMBER OF PREVIOUS VIOLATIONS: 0      NUMBER OF DAYS LATE: 23

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 LETTER.



**WESTERN  
UNION.****WESTERN UNION COMMERCIAL SERVICES****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 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 C. BROWN AT FEDERAL ELECTION COMMISSION, 999 E ST., NW, WASHINGTON, DC 20463, OR ON OUR TOLL FREE NUMBER (800)424-9530 (PRESS 1, THEN PRESS 2) OR (202)694-1130.

SINCERELY,

BRADLEY A. SMITH  
CHAIRMAN

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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43, THE CIVIL MONEY PENALTY IS \$215 FOR THE 2004 JULY QUARTERLY REPORT.

**WESTERN  
UNION.**

WESTERN UNION COMMERCIAL SERVICES

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

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FOR: TASHENBERG FOR CONGRESS

FEC ID#: C00395707

AF#: 1149

PAYMENT AMOUNT DUE: \$215

SUBSEQUENT TO THE NOVEMBER 1, 2004 MEMORANDUM TO THE  
COMMISSION IN WHICH THEY WERE LISTED AS NOT HAVING PAID, THE  
COMMITTEE IN THE FOLLOWING CASE HAS PAID ADMINISTRATIVE FINES:

1149

25092583013

FOR: TASHENBERG FOR CONGRESS

FEC ID#: C00395707

AF#: 1149

PAYMENT AMOUNT DUE: \$215

QUALITY IS OUR PRIORITY FOR LOCKBOX 2182  
SEQ# 001 \$ 0000021500 BA# 1 09-07-05 20 9

DANIELLE BREAU

14-17 100  
650  
28103437

601

8/25/05

Pay to the  
Order of

Federal Election Commission

\$ 215.00

two hundred fifteen and no/100

Dollars



WHITNEY

Whitney National Bank  
New Orleans, Louisiana

For

FEC ID# C00395707

Danielle Breau



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1149

DATE SCANNED 11/4/05

SCANNER NO. 2

SCAN OPERATOR J.E.G.

25092583015