



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1669

DATE SCANNED 1/14/08

SCANNER NO. 2

SCAN OPERATOR ΣΕΣ

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

COMMISSION
SECRETARIAT

2007 APR -5 A 9:36

April 4, 2007

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK
STAFF DIRECTOR *PMC*

MARGARITA MAISONET *gma*
CHIEF COMPLIANCE OFFICER

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

SUBJECT: REASON TO BELIEVE RECOMMENDATION - 2006 12 DAY
PRE-GENERAL (QUARTERLY FILERS) AND 30 DAY POST-
GENERAL REPORT FOR THE ADMINISTRATIVE FINE
PROGRAM

Attached are two lists of political committees and their treasurers who failed to file or timely file the 2006 12 Day Pre-General and/or the 2004 30 Day Post-General Reports in accordance with 2 U.S.C. 434(a). The 12 Day Pre-General list is comprised of unauthorized committees filing quarterly that made general election contributions or expenditures from October 1, 2006 through October 18, 2006. The 30 Day Post-General list is comprised of authorized committees whose candidates sought election in the November 7th General Election, as well as unauthorized committees filing either quarterly or monthly.

The 12 Day Pre-General Report was due on October 26, 2006 and should cover the reporting period from October 1, 2006 through October 18, 2006. The 30 Day Post-General Report was due on December 7, 2006 and should cover the reporting period from October 19, 2006 to November 27, 2006 or from October 1, 2006 through November 27, 2006, if the 12 Day Pre-General Report was not required.

The committees appearing on the 12 Day Pre-General Report list either filed late or failed to file the report prior to four (4) days before the General Election (considered a non-filed report). The committees appearing on the 30 Day Post-General Report list either failed to file the report, filed the report more than five (5) days after the due date or

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filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with 11 C.F.R. 111.43, these committees should be assessed the civil money penalties included on the attached lists.

As noted above, the 12 Day Pre-General Report circulation list includes unauthorized committees filing quarterly that failed to file or failed to timely file the 12 Day Pre-General Report. Unlike unauthorized committees that file on a monthly basis, a quarterly filer need only file this report if it made general election contributions or expenditures between the dates of October 1, 2006 and October 18, 2006. In order to accurately identify the committees for administrative fines purposes, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 12 Day Pre-General Report (12 Day Report) submitted by an unauthorized quarterly filer was reviewed to ensure that it disclosed general election contributions or expenditures made during the coverage dates of the report. Any report meeting this definition that was filed late is included in the list. Any report not disclosing general election contributions or expenditures during this period is not included in the list, as it is not a required filing.
- Every 30 Day Post-General Report (30 Day Report) submitted by an unauthorized quarterly filer that covered the period from October 1, 2006 through November 27, 2006 (58 days), was reviewed for activity which would have required the filing of a 12 Day Pre-General Report. If our research indicated that the filing of a 12 Day Report was required, we utilized a two-step method to arrive at the estimated level of activity on which to base the fine amount. First, if the committee had any unitemized activity, a per diem level of activity was used by multiplying the total amount of activity on the report by 31% (18 days (12G Filing Period)/58 days (30G Filing Period)).
- If the same committee also failed to file the 30 Day Report in a timely manner, we based the 30 Day Report fine on the amount of the remaining level of activity. We arrived at this amount by subtracting the estimated level of activity for the 12 Day Report from the total amount of activity on the 30 Day Report. In these cases, the committees will appear on both lists and will be assessed a fine for both the 12 Day and 30 Day Reports based on the estimated levels of activity described above.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Reports 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 Reports.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2006 PRE-GENERAL Election Sensitive 10/26/2006 UNAUTH_Q

| AF# | Committee ID | Committee Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|---|-------------------------|-----------|----|--------------|-----------|----------|-------------|
| 1604 | C00169508 | AAI CORPORATION POLITICAL ACTION COMMITTEE | RICHARD F. CHRIST | \$196,951 | 1 | 11/5/2006 | Not Filed | \$7,500 | \$750 |
| 1605 | C00366385 | ADVANCED ACOUSTIC CONCEPTS INC POLITICAL ACTION COMMITTEE | SCOTT WILLIAMS | \$203,094 | 0 | 12/8/2006 | Not Filed | \$3,599 | \$500 |
| 1606 | C00340356 | ADVANCED MEDICAL TECHNOLOGY ASSOCIATION POLITICAL ACTION COMMITTEE | KENNETH MENDEZ | \$413,835 | 0 | 11/2/2006 | 7 | \$2,000 | \$120 |
| 1607 | C00141242 | AGRI-MARK, INC LEGISLATIVE AND EDUCATIONAL COMMITTEE (ALEC) | HAROLD LARRABEE | \$106,244 | 1 | 12/15/2006 | Not Filed | \$2,000 | \$625 |
| 1608 | C00325159 | AIRTRAN AIRWAYS INC POLITICAL ACTION COMMITTEE | STANLEY GADEK | \$143,814 | 0 | 1/15/2007 | Not Filed | \$7,129 | \$600 |
| 1609 | C00352054 | ARMENIAN AMERICAN PAC (ARMENPAC) | DR. SARKIS KECHEJIAN | \$281,080 | 0 | 12/3/2006 | Not Filed | \$5,577 | \$600 |
| 1610 | C00363382 | AVAYA INCORPORATED POLITICAL ACTION COMMITTEE | CHARLES E. CROWDERS | \$143,681 | 0 | 12/8/2006 | Not Filed | \$3,350 | \$500 |
| 1611 | C00204388 | BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC) | IRA LAMEL | \$189,003 | 2 | 11/2/2006 | 7 | \$6,000 | \$255 |
| 1612 | C00078287 | CNA FINANCIAL CORPORATION CITIZENS FOR GOOD GOVERNMENT | KAREN MELCHERT | \$345,872 | 0 | 12/12/2006 | Not Filed | \$26,149 | \$1,400 |

| AF# | Committee ID | Committee Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|--|-----------------------|-----------|----|--------------|-----------|----------|-------------|
| 1613 | C00304832 | CONSTELLATION BRANDS INC POLITICAL ACTION COMMITTEE | PERRY HUMPHREY | \$372,102 | 0 | 11/6/2006 | Not Filed | \$7,554 | \$750 |
| 1614 | C00303818 | COUNCIL FOR AFFORDABLE AND RURAL HOUSING PAC INC (CARH PAC) | TRAVIS A. MILLER | \$100,735 | 0 | 12/29/2006 | Not Filed | \$1,457 | \$500 |
| 1615 | C00160630 | DRUMMOND COMPANY INC POLITICAL ACTION COMMITTEE (DPAC) | MR. SCOTT O STANFIELD | \$128,650 | 0 | 11/11/2006 | 6 | \$8,500 | \$160 |
| 1616 | C00135855 | ENERGEN CORPORATION POLITICAL ACTION COMMITTEE F/K/A ALAGASCO INC PAC | MR. DUDLEY REYNOLDS | \$171,512 | 0 | 11/8/2006 | Not Filed | \$13,000 | \$900 |
| 1618 | C00400242 | FLORIDA FOR AMERICAS FUTURE PAC | HUGH WESTBROOK | \$112,600 | 0 | 12/6/2006 | Not Filed | \$24,200 | \$900 |
| 1619 | C00349639 | FLORIDA PBA INC FRIENDS OF LAW ENFORCEMENT | DAVID BRUCE MURRELL | \$112,445 | 0 | 12/7/2006 | Not Filed | \$10,161 | \$900 |
| 1620 | C00012328 | FLORIDA SUGAR CANE LEAGUE PAC | RYAN WESTON | \$385,029 | 0 | 12/6/2006 | Not Filed | \$1,000 | \$500 |
| 1621 | C00242040 | FOREST LANDOWNERS ASSOCIATION, INC. POLITICAL ACTION COMMITTEE | SCOTT JONES | \$145,222 | 0 | 12/21/2006 | Not Filed | \$2,852 | \$500 |
| 1622 | C00297531 | GOVERNMENT IS NOT GOD | NANCY M. MURRAY | \$133,277 | 0 | 11/8/2006 | Not Filed | \$10,769 | \$900 |
| 1623 | C00338848 | HOOSIER POLITICAL ACTION COMMITTEE (HOOSIER PAC) | GILEAD KAPEN | \$516,237 | 1 | 11/30/2006 | Not Filed | \$37,000 | \$1,750 |
| 1624 | C00303073 | INTERNATIONAL COUNCIL OF CRUISE LINES POLITICAL ACTION COMM (ICCL-PAC) | J. MICHAEL CRYE | \$317,704 | 0 | 12/7/2006 | Not Filed | \$6,000 | \$600 |

| AF# | Committee ID | Committee Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|--|-----------------------|-----------|----|--------------|-----------|----------|-------------|
| 1625 | C00212142 | KIRKLAND | STEPHEN TOMLINSON | \$208,482 | 0 | 12/5/2006 | Not Filed | \$1,333 | \$500 |
| 1626 | C00284810 | MARRIOTT INTERNATIONAL, INC. POLITICAL ACTION COMMITTEE | MS. MELISSA FROELICH | \$303,418 | 0 | 12/6/2007 | Not Filed | \$31,748 | \$1,400 |
| 1627 | C00413575 | MWW GROUP INC. POLITICAL ACTION COMMITTEE | SETH ROSENSTEIN | \$115,565 | 0 | 11/22/2006 | Not Filed | \$5,305 | \$600 |
| 1628 | C00296657 | OHIO FINANCIAL SERVICES POLITICAL ACTION COMMITTEE | MR. JOSEPH R. SANDER | \$127,643 | 0 | 11/6/2006 | Not Filed | \$9,773 | \$600 |
| 1629 | C00383489 | PUBLIC SERVICE ENTERPRISE GROUP INC. POLITICAL ACTION COMMITTEE (PEGPAC) | MR. MARK G. KAHRER | \$217,457 | 0 | 11/21/2006 | Not Filed | \$13,068 | \$900 |
| 1630 | C00363812 | RECREATIONAL FISHING ALLIANCE, PAC | SCHNELLER A. STACEY | \$156,919 | 0 | 12/8/2006 | Not Filed | \$13,184 | \$900 |
| 1631 | C00407130 | REHAB CARE GROUP INC. PAC | MARK ANTHONY BOGOVICH | \$129,589 | 0 | 12/7/2006 | Not Filed | \$3,567 | \$500 |
| 1632 | C00345132 | REPUBLICAN JEWISH COALITION-POLITICAL ACTION COMMITTEE (RJC-PAC) | MATTHEW BROOKS | \$304,333 | 0 | 12/8/2006 | Not Filed | \$32,000 | \$1,400 |
| 1633 | C00368696 | RESPONSIBILITY AND FREEDOM WORK PAC (REWFAPAC) | JOHN P. NAIL | \$106,727 | 0 | 11/2/2007 | Not Filed | \$4,115 | \$500 |
| 1634 | C00411611 | SECURE PAC | LONDON THOMPSON | \$101,961 | 0 | 12/7/2006 | Not Filed | \$57,015 | \$3,000 |
| 1635 | C00402669 | SI INTERNATIONAL INC. POLITICAL ACTION COMMITTEE | THOMAS E. DUNN | \$183,625 | 0 | 12/4/2006 | Not Filed | \$6,370 | \$600 |
| 1636 | C00392621 | SNOW PAC | STANLEY R. DE WAAL | \$534,667 | 0 | 12/8/2006 | Not Filed | \$33,367 | \$1,400 |

| AFP | Committee ID | Committee Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|--|------------------|-------------|----|--------------|-----------|----------|-------------|
| 1637 | C00381459 | SOCIETY FOR VASCULAR SURGERY POLITICAL ACTION COMMITTEE | REBECCA MARON | \$169,667 | 0 | 11/30/2006 | Not Filed | \$2,364 | \$500 |
| 1638 | C00359984 | SOUTHEAST MILK INC POLITICAL ACTION COMMITTEE | CHARLES GARRISON | \$101,623 | 0 | 12/7/2006 | Not Filed | \$7,000 | \$600 |
| 1639 | C00417576 | TERRIPAC UNITED ASSN | BRIAN SCHIAVO | \$115,452 | 1 | 11/1/2006 | 6 | \$3,615 | \$137 |
| 1640 | C00173419 | JOURNEYMEN & APPRENT OF PLUMB & PIPEFITTING IND LOCAL 322 COMM FOR POLED | JAMES REED | \$1,103,402 | 0 | 11/1/2006 | 6 | \$24,696 | \$210 |
| 1641 | C00390575 | WELLCARE HEALTH PLANS INC PAC (WELLCARE PAC) | DAVID K SMITH | \$150,163 | 0 | 12/5/2006 | Not Filed | \$17,500 | \$900 |

Federal Election Commission
Reason to Believe Circulation Report
2006 POST-GENERAL Non Election Sensitive 12/07/2006 UNAUTH & AUTH

| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|---|------------------|---------------------|-----------|----|--------------|-----------|----------------|-------------|
| 1642 | C00325159 | AIRTRAN AIRWAYS INC POLITICAL ACTION COMMITTEE | | STANLEY GADEK | \$148,703 | 0 | 1/15/2007 | Not Filed | \$4,889 | \$250 |
| 1643 | C00396028 | AL GREEN FOR CONGRESS | GREEN, ALEXANDER | WILLIAM A LAWSON | \$747,829 | 3 | 1/7/2007 | Not Filed | \$148,867 | \$7,875 |
| 1644 | C00416404 | ARCH LEADERSHIP PAC | | JOHN ROSS TRUMAN | \$133,843 | 0 | | Not Filed | \$48,281 (est) | \$900 |
| 1645 | C00427617 | BLUE AMERICA PAC BREWERY SOFT DRINK BEER DISTR OPTICAL DENTAL MISC WORKERS WAREHOUSEMAN HELP LOCAL 830 PAC | | HOWARD KLEIN | \$119,155 | 0 | 1/23/2007 | Not Filed | \$58,689 | \$2,700 |
| 1646 | C00174847 | | | DANIEL H. GRACE | \$360,351 | 1 | 1/5/2007 | 29 | \$40,003 | \$975 |
| 1647 | C00423335 | BYRNE FOR CONGRESS COMMITTEE THE | BYRNE, MARK | JILL K. HUEY | \$143,413 | 0 | 3/14/2007 | Not Filed | \$36,327 | \$900 |

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|------|-----------|---|---------------------|-----------------------|-----------|---|------------|-----------|----------------|---------|
| 1649 | C00421693 | CHRISTIAN BURRIDGE FOR CONGRESS | BURRIDGE, CHRISTIAN | DANIEL CLYDE CARR | \$130,908 | 0 | 2/2/2007 | Not Filed | \$28,919 | \$900 |
| 1650 | C00415604 | CITIZENS FOR ACTION | | NANCY T. KANJORSKI | \$305,153 | 0 | 1/10/2007 | Not Filed | \$40,281 | \$900 |
| 1651 | C00062224 | GLOROX COMPANY EMPLOYEES' POLITICAL ACTION COMMITTEE THE | | VICTORIA JONES | \$112,106 | 0 | 1/9/2007 | Not Filed | \$4,438 | \$250 |
| 1652 | C00416321 | COMMITTEE TO ELECT BRAD BLANTON | BLANTON, BRAD | JUSTIN BURCHARD | \$112,351 | 0 | | Not Filed | \$22,470 (est) | \$500 |
| 1653 | C00426783 | COMMITTEE TO ELECT RICK TRENT THE | TRENT, RICKY LYNN | LISA JO TRENT | \$157,095 | 0 | 12/13/2006 | 6 | \$26,805 | \$320 |
| 1654 | C00394692 | COMMITTEE TO ELECT WILLIAM (WILLIE) VADEN FOR CONGRESS | VADEN, WILLIAM ROSS | WILLIAM ROSS VADEN | \$244,212 | 1 | | Not Filed | \$27,135 | \$1,125 |
| 1655 | C00125534 | COMPOSITION ROOFERS LOCAL UNION #30 POLITICAL ACTION & EDUCATION FUND | | TOM PEDRICK | \$433,371 | 0 | 1/2/2007 | 26 | \$62,963 | \$2,250 |

| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|--|------------------------|------------------------|-------------|----|--------------|-----------|----------------|-------------|
| 1656 | C00111237 | COMPRESSED AIR FREE AIR FOUNDATION TUNNEL CAISSON SUBWAY WORKERS POLITICAL ACTION FUND | | RICHARD E. FITZSIMMONS | \$133,149 | 0 | 1/1/2007 | Not Filed | \$28,574 | \$900 |
| 1657 | C00379834 | CONTRA COSTA UNITED DEMOCRATIC CAMPAIGN AKA CCUDC | | GREGORY E. SANBORN | \$139,379 | 1 | 2/28/2007 | Not Filed | \$24,388 | \$625 |
| 1658 | C00387555 | COUNCIL FOR A LIVABLE WORLD CANDIDATE FUND | | JOHN D. ISAACS | \$516,010 | 0 | 12/13/2006 | 6 | \$76,052 | \$1,000 |
| 1659 | C00303818 | COUNCIL FOR AFFORDABLE AND RURAL HOUSING PAC INC (CARHPAC) | | TRAVIS A. MILLER | \$103,976 | 0 | 12/29/2006 | 22 | \$3,243 | \$135 |
| 1660 | C00369801 | DAVID SCOTT FOR CONGRESS | SCOTT, DAVID ALBERT | HANK AARON | \$2,595,854 | 0 | 12/16/2006 | 9 | \$435,592 | \$3,800 |
| 1661 | C00242040 | FOREST LANDOWNERS ASSOCIATION, INC., POLITICAL ACTION COMMITTEE | | SCOTT JONES | \$151,570 | 0 | 12/21/2006 | 14 | \$6,348 | \$120 |
| 1663 | C00131557 | HEARTLAND PAC | | DAVID B. ORLEAN | \$140,402 | 0 | 1/5/2007 | 29 | \$63,249 | \$2,475 |
| 1665 | C00265603 | KERN COUNTY REPUBLICAN CENTRAL COMMITTEE | | CRAIG HENDERSON | \$590,830 | 1 | 12/18/2006 | 11 | \$14,708 | \$193 |
| 1666 | C00428615 | LAKE COUNTY DEMOCRATIC PARTY FEDERAL COMMITTEE | | PETER A. COUVALL | \$585,876 | 0 | 1/4/2007 | 28 | \$189,533 | \$5,000 |
| 1667 | C00420091 | MAATTA FOR CONGRESS CAMPAIGN COMMITTEE | MAATTA, RANDAL G | DEBRA C. MAATTA | \$194,712 | 3 | | Not Filed | \$64,904 (est) | \$4,725 |
| 1668 | C00003111 | MAINE REPUBLICAN PARTY | | PHILIP ROY, JR. | \$961,378 | 0 | 12/20/2006 | 13 | \$26,507 | \$460 |
| 1669 | C00416131 | MIDWEST VALUES PAC (MVP) | | THOMAS BORMAN | \$2184,927 | 0 | 1/11/2007 | 26 | \$354,447 | \$9,000 |
| 1670 | C00424077 | MIKE MCGRAW FOR CONGRESS | MCGRAW, MICHAEL EDWARD | A ROBERT MUZIO | \$131,898 | 0 | 1/29/2007 | Not Filed | \$28,452 | \$900 |
| 1671 | C00174854 | MONTANA CREDIT UNIONS LEAGUE POLITICAL ACTION COMMITTEE | | JERRY W. GUSTAFSON | \$184,776 | 0 | 1/29/2007 | Not Filed | \$6,396 | \$300 |

| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|---|----------------|----------------------|-----------|----|--------------|-----------|----------------|-------------|
| 1673 | C00369884 | MZM INC. PAC | | MS JEANNE GINEIL | \$178,705 | 0 | | Not Filed | \$35,741 (est) | \$900 |
| 1674 | C00188987 | NATIONAL ASSOCIATION FOR HOME CARE POLITICAL ACTION COMMITTEE | | MICHAEL N. WOODS | \$137,626 | 2 | 1/11/2007 | Not Filed | \$1,357 | \$375 |
| 1675 | C00012211 | NORTH CAROLINA DENTAL PAC | | AARON TROMMANN | \$124,000 | 0 | 1/6/2007 | 30 | \$240 | \$175 |
| 1676 | C00416511 | PENNSYLVANIA PAC FOR PROGRESS | | JONATHAN ROBERT KING | \$149,370 | 0 | | Not Filed | \$37,679 (est) | \$900 |
| 1677 | C00266536 | PHILLIPS INTERNATIONAL INC POLITICAL ACTION COMMITTEE | | MR WILLIAM ESTEY | \$231,502 | 0 | | Not Filed | \$46,300 (est) | \$900 |

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|------|-----------|--|--|-----------------------|-----------|---|-----------|-----------|----------------|-------|
| 1679 | C00368696 | R'SPONSIBILITY AND FREEDOM WORK PAC (RFWPAC) | | JOHN P. NAIL | \$141,142 | 0 | 1/16/2007 | Not Filed | \$35,415 | \$900 |
| 1680 | C00409359 | SAN MATEO COUNTY DEMOCRATIC CENTRAL COMMITTEE | | JUDITH A. CHRISTENSEN | \$160,523 | 0 | | Not Filed | \$12,832 (est) | \$500 |
| 1681 | C00278788 | SUFF CO DETECTIVES ASSN INC POLITICAL ACTION COMMITTEE | | RAYMOND L. GRIFFIN JR | \$150,036 | 0 | 1/12/2007 | Not Filed | \$21,496 | \$500 |

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|------|-----------|--|----------------------|-------------------|-----------|---|------------|-----------|----------|---------|
| 1683 | C00178541 | TEAMSTERS JOINT COUNCIL 53 POLITICAL ACTION COMMITTEE | | PAUL CARDULLO | \$288,780 | 0 | 1/12/2007 | Not Filed | \$50,002 | \$2,700 |
| 1684 | C00009357 | THE RECORDING INDUSTRY ASSOCIATION OF AMERICA POLITICAL ACTION COMMITTEE | | MITCH GLAZIER | \$323,689 | 0 | 12/14/2006 | 7 | \$12,000 | \$135 |
| 1685 | C00414417 | TOM BARLOW FOR CONGRESS '06 | BARLOW, THOMAS J III | SHIRLEY J. BARLOW | \$240,749 | 0 | 12/14/2006 | 7 | \$86,118 | \$1,100 |

| | | | | | | | | | | |
|------|-----------|--|--|------------|-------------|---|------------|----|----------|---------|
| 1687 | C00173419 | UNITED ASSN JOURNEYMEN & APPRENT OF PLUMB & PIPEFITTING IND LOCAL 322 COMM FOR POLED | | JAMES REED | \$1,178,532 | 0 | 12/29/2006 | 22 | \$75,121 | \$2,600 |
|------|-----------|--|--|------------|-------------|---|------------|----|----------|---------|

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| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|---|---------------------------|--------------------|-----------|----|--------------|-----------|-----------|-------------|
| 1688 | C00063586 | UNITED STATES BEET SUGAR ASSOCIATION POLITICAL ACTION COMMITTEE | | JAMES JOHNSON | \$154,516 | 0 | 1/25/2007 | Not Filed | \$1,000 | \$250 |
| 1690 | C00421628 | WEGNER FOR CONGRESS | WEGNER, KENNETH ALEXANDER | KENNETH WEGNER | \$192,120 | 1 | 3/28/2007 | Not Filed | \$23,586 | \$625 |
| 1691 | C00419614 | WILSON AURBACH FOR CONGRESS COMMITTEE | AURBACH, WILSON | JORDAN WALDRER | \$147,275 | 0 | 1/23/2007 | Not Filed | \$8,065 | \$300 |
| 1693 | C00421131 | ZANZI FOR CONGRESS | ZANZI, ITALO ANDRES | RYAN ADRIAN MOREIN | \$656,819 | 1 | 12/18/2006 | 11 | \$109,643 | \$2,468 |



FEDERAL ELECTION COMMISSION

Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Thursday, April 5, 2007 11:00

BALLOT DEADLINE: Tuesday, April 10, 2007 4:00

COMMISSIONER: LENHARD, MASON, von SPAKOVSKY, WALTHER, WEINTRAUB

SUBJECT: RTB Recommendation – 2006 12 Day Pre-General
(Quarterly Filers) and 30 Day Post-General Report For
The Administrative Fine Program. Memorandum from the
Assistant Staff Director, Reports Analysis Division
dated April 4, 2007.

- () 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

20092614350

BEFORE THE FEDERAL ELECTION COMMISSION

20092614351

| | | |
|---|---|----------|
| In the Matter of |) | |
| |) | |
| Reason To Believe Recommendation 12 |) | |
| Day Pre-General (Quarterly Filers) and 30 |) | |
| Day Post-General Report For The |) | |
| Administrative Fine Program: |) | |
| DAVID SCOTT FOR CONGRESS, and |) | AF# 1660 |
| HANK AARON as treasurer; |) | |
| TOM BARLOW FOR CONGRESS '06, and |) | AF# 1685 |
| SHIRLEY J BARLOW as treasurer; |) | |
| | | |
| ZANZI FOR CONGRESS, and RYAN |) | AF# 1693 |
| ADRIAN MORFIN as treasurer; |) | |
| | | |
| COMMITTEE TO ELECT RICK TRENT; |) | AF# 1653 |
| THE, and LISA JO TRENT as treasurer; |) | |
| | | |
| TAN NGUYEN FOR CONGRESS, and |) | AF# 1683 |
| Tello, Emilee as treasurer; |) | |
| MIKE MCGRAW FOR CONGRESS, and |) | AF# 1670 |
| A ROBERT MUZIO as treasurer; |) | |
| | | |
| BYRNE FOR CONGRESS COMMITTEE; |) | AF# 1647 |
| THE, and JILL K HUEY as treasurer; |) | |
| WEGNER FOR CONGRESS, and |) | AF# 1690 |
| KENNETH WEGNER as treasurer; |) | |
| | | |
| MAATTA FOR CONGRESS CAMPAIGN |) | AF# 1667 |
| COMMITTEE, and DEBRA C MAATTA |) | |
| as treasurer; |) | |
| AL GREEN FOR CONGRESS, and |) | AF# 1643 |
| WILLIAM A LAWSON as treasurer; |) | |

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| | | |
|---------------------------------------|---|----------|
| COMMITTEE TO ELECT WILLIAM |) | AF# 1654 |
| (WILLIE) VADEN FOR CONGRESS, and |) | |
| WILLIAM ROSS VADEN as treasurer; |) | |
| WILSON AURBACH FOR CONGRESS |) | AF# 1691 |
| COMMITTEE, and JORDAN WALDREP |) | |
| as treasurer; |) | |
| CHRISTIAN BURRIDGE FOR |) | AF# 1649 |
| CONGRESS, and DANIEL CLYDE CARR |) | |
| as treasurer; |) | |
| COMMITTEE TO ELECT BRAD |) | AF# 1652 |
| BLANTON, and Burchard, Justin as |) | |
| treasurer; |) | |
| COUNCIL FOR AFFORDABLE AND |) | AF# 1659 |
| RURAL HOUSING PAC INC (CARH |) | |
| PAC), and TRAVIS A MILLER as |) | |
| treasurer; |) | |
| | | |
| BREWERY SOFT DRINK BEER DISTR |) | AF# 1646 |
| OPTICAL DENTAL MISC WORKERS |) | |
| WAREHOUSEMAN HELP LOCAL 830 |) | |
| PAC, and DANIEL H GRACE as treasurer; |) | |
| COMPOSITION ROOFERS LOCAL |) | AF# 1655 |
| UNION #30 POLITICAL ACTION & |) | |
| EDUCATION FUND, and TOM PEDRICK |) | |
| as treasurer; |) | |
| COUNCIL FOR A LIVABLE WORLD |) | AF# 1658 |
| CANDIDATE FUND, and JOHN D. |) | |
| ISAACS as treasurer; |) | |
| FOREST LANDOWNERS |) | AF# 1661 |
| ASSOCIATION INC. POLITICAL |) | |
| ACTION COMMITTEE, and Jones, Scott |) | |
| as treasurer; |) | |
| HEARTLAND PAC FKA: |) | AF# 1663 |
| YOUNGSTOWN, and DAVID B. |) | |
| ORLEAN as treasurer; |) | |
| NORTH CAROLINA DENTAL PAC, and |) | AF# 1675 |
| AARON TROPMANN as treasurer; |) | |
| | | |
| RECORDING INDUSTRY |) | AF# 1679 |
| ASSOC/AMERICA INC POLITICAL |) | |
| ACTION COMMITTEE (FKA |) | |
| RECORDING ARTS PAC), and |) | |
| JENNIFER L. BENDALL as treasurer; |) | |

Federal Election Commission
Certification for Administrative Fines
April 10, 2007

Page 3

UNITED ASSN JOURNEYMEN &) AF# 1687
APPRENT OF PLUMB & PIPEFITTING)
IND LOCAL 322 COMM FOR POL ED,)
and JAMES REED as treasurer;)

LAKE COUNTY DEMOCRATIC PARTY) AF# 1666
FEDERAL COMMITTEE, and Couvall,)
Peter A. as treasurer;)

KERN COUNTY REPUBLICAN) AF# 1665
CENTRAL COMMITTEE, and)
HENDERSON, CRAIG as treasurer;)

MAINE REPUBLICAN PARTY, and) AF# 1668
Philip Roy Jr. as treasurer;)

ARCH LEADERSHIP PAC, and JOHN) AF# 1644
ROSS TRUMAN as treasurer;)

BLUE AMERICA PAC, and HOWARD) AF# 1645
KLEIN as treasurer;)

CITIZENS FOR ACTION, and NANCY T) AF# 1650
KANJORSKI as treasurer;)

CONTRA COSTA UNITED) AF# 1657
DEMOCRATIC CAMPAIGN AKA)

CCUDC, and GREGORY E SANBORN as)
treasurer;)

PENNSYLVANIA PAC FOR PROGRESS,) AF# 1676
and JONATHAN ROBERT KING as)
treasurer;)

AIRTRAN AIRWAYS INC POLITICAL) AF# 1642
ACTION COMMITTEE, and Gadek,)
Stanley as treasurer;)

CLOROX COMPANY EMPLOYEES') AF# 1651
POLITICAL ACTION COMMITTEE, THE,)
and VICTORIA JONES as treasurer;)

COMPRESSED AIR FREE AIR) AF# 1656
FOUNDATION TUNNEL CAISSON)

SUBWAY WORKERS POLITICAL)
ACTION FUND, and RICHARD E)

FITZSIMMONS as treasurer;)
MIDWEST VALUES PAC (MVP), and) AF# 1669

Thomas Borman as treasurer;)

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| | | |
|---|---|----------|
| MONTANA CREDIT UNIONS LEAGUE |) | AF# 1671 |
| POLITICAL ACTION COMMITTEE, and |) | |
| JERRY W GUSTAFSON as treasurer; |) | |
| MZM INC. PAC, and O'Neil, Jeanne Ms. as |) | AF# 1673 |
| treasurer; |) | |
| NATIONAL ASSOCIATION FOR HOME |) | AF# 1674 |
| CARE POLITICAL ACTION |) | |
| COMMITTEE, and MICHAEL N |) | |
| WOODS as treasurer; |) | |
| PHILLIPS INTERNATIONAL INC |) | AF# 1677 |
| POLITICAL ACTION COMMITTEE, and |) | |
| Estey, William Mr. as treasurer; |) | |
| RESPONSIBILITY AND FREEDOM |) | AF# 1680 |
| WORK PAC (RWPAC), and JOHN P |) | |
| NAIL as treasurer; |) | |
| TEAMSTERS JOINT COUNCIL 53 |) | AF# 1684 |
| POLITICAL ACTION COMMITTEE, and |) | |
| cardullo, paul as treasurer; |) | |
| UNITED STATES BEET SUGAR |) | AF# 1688 |
| ASSOCIATION POLITICAL ACTION |) | |
| COMMITTEE, and JAMES JOHNSON as |) | |
| treasurer; |) | |
| SAN MATEO COUNTY DEMOCRATIC |) | AF# 1681 |
| CENTRAL COMMITTEE, and JUDITH A |) | |
| CHRISTENSEN as treasurer; |) | |

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on April 10, 2007 the Commission took the following actions on the Reason
To Believe Recommendation 12 Day Pre-General (Quarterly Filers) and 30 Day Post-
General Report For The Administrative Fine Program as recommended in the Reports
Analysis Division's Memorandum dated April 04, 2007, on the following committees:

AF#1660 Decided by a vote of 4-0 to: (1) find reason to believe that DAVID
SCOTT FOR CONGRESS, and HANK AARON as treasurer violated 2 U.S.C. 434(a)
and make a preliminary determination that the civil money penalty would be the amount

indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1685 Decided by a vote of 4-0 to: (1) find reason to believe that TOM BARLOW FOR CONGRESS '06, and SHIRLEY J BARLOW as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1693 Decided by a vote of 4-0 to: (1) find reason to believe that ZANZI FOR CONGRESS, and RYAN ADRIAN MORFIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1653 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT RICK TRENT; THE, and LISA JO TRENT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

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AF#1683 Decided by a vote of 4-0 to: (1) find reason to believe that TAN NGUYEN FOR CONGRESS, and Tello, Emilee as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1670 Decided by a vote of 4-0 to: (1) find reason to believe that MIKE MCGRAW FOR CONGRESS, and A ROBERT MUZIO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1647 Decided by a vote of 4-0 to: (1) find reason to believe that BYRNE FOR CONGRESS COMMITTEE; THE, and JILL K HUEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1690 Decided by a vote of 4-0 to: (1) find reason to believe that WEGNER FOR CONGRESS, and KENNETH WEGNER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1667 Decided by a vote of 4-0 to: (1) find reason to believe that MAATTA FOR CONGRESS CAMPAIGN COMMITTEE, and DEBRA C MAATTA as treasurer

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violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1643 Decided by a vote of 4-0 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 letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1654 Decided by a vote of 4-0 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 letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1691 Decided by a vote of 4-0 to: (1) find reason to believe that WILSON AURBACH FOR CONGRESS COMMITTEE, and JORDAN WALDREP as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1649 Decided by a vote of 4-0 to: (1) find reason to believe that CHRISTIAN BURRIDGE FOR CONGRESS, and DANIEL CLYDE CARR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1652 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT BRAD BLANTON, and Burchard, Justin as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not object.

AF#1659 Decided by a vote of 4-0 to: (1) find reason to believe that COUNCIL FOR AFFORDABLE AND RURAL HOUSING PAC INC (CARH PAC), and TRAVIS A MILLER 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

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appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

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AF#1646 Decided by a vote of 4-0 to: (1) find reason to believe that BREWERY SOFT DRINK BEER DISTR OPTICAL DENTAL MISC WORKERS WAREHOUSEMAN HELP LOCAL 830 PAC, and DANIEL H GRACE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1655 Decided by a vote of 4-0 to: (1) find reason to believe that COMPOSITION ROOFERS LOCAL UNION #30 POLITICAL ACTION & EDUCATION FUND, and TOM PEDRICK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1658 Decided by a vote of 4-0 to: (1) find reason to believe that COUNCIL FOR A LIVABLE WORLD CANDIDATE FUND, and JOHN D. ISAACS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1661 Decided by a vote of 4-0 to: (1) find reason to believe that FOREST LANDOWNERS ASSOCIATION INC. POLITICAL ACTION COMMITTEE, and Jones, Scott as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1663 Decided by a vote of 4-0 to: (1) find reason to believe that HEARTLAND PAC FKA: YOUNGSTOWN, and DAVID B. ORLEAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard,

AF#1675 Decided by a vote of 4-0 to: (1) find reason to believe that NORTH CAROLINA DENTAL PAC, and AARON TROPMANN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1679 Decided by a vote of 4-0 to: (1) find reason to believe that RECORDING INDUSTRY ASSOC/AMERICA INC POLITICAL ACTION COMMITTEE (FKA RECORDING ARTS PAC), and JENNIFER L. BENDALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1687 Decided by a vote of 4-0 to: (1) find reason to believe that UNITED ASSN JOURNEYMEN & APPRENT OF PLUMB & PIPEFITTING IND LOCAL 322 COMM FOR POL ED, and JAMES REED as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1666 Decided by a vote of 4-0 to: (1) find reason to believe that LAKE COUNTY DEMOCRATIC PARTY FEDERAL COMMITTEE, and Couvall, Peter A. 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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letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1665 Decided by a vote of 4-0 to: (1) find reason to believe that KERN COUNTY REPUBLICAN CENTRAL COMMITTEE, and HENDERSON, CRAIG as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1668 Decided by a vote of 4-0 to: (1) find reason to believe that MAINE REPUBLICAN PARTY, and Philip Roy Jr. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1644 Decided by a vote of 4-0 to: (1) find reason to believe that ARCH LEADERSHIP PAC, and JOHN ROSS TRUMAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1645 Decided by a vote of 4-0 to: (1) find reason to believe that BLUE AMERICA PAC, and HOWARD KLEIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1650 Decided by a vote of 4-0 to: (1) find reason to believe that CITIZENS FOR ACTION, and NANCY T KANJORSKI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1657 Decided by a vote of 4-0 to: (1) find reason to believe that CONTRA COSTA UNITED DEMOCRATIC CAMPAIGN AKA CCUDC, and GREGORY E SANBORN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

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AF#1676 Decided by a vote of 4-0 to: (1) find reason to believe that PENNSYLVANIA PAC FOR PROGRESS, and JONATHAN ROBERT KING as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1642 Decided by a vote of 4-0 to: (1) find reason to believe that AIRTRAN AIRWAYS INC POLITICAL ACTION COMMITTEE, and Gadek, 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 letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1651 Decided by a vote of 4-0 to: (1) find reason to believe that CLOROX . COMPANY EMPLOYEES' POLITICAL ACTION COMMITTEE, THE, and VICTORIA JONES as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1656 Decided by a vote of 4-0 to: (1) find reason to believe that COMPRESSED AIR FREE AIR FOUNDATION TUNNEL CAISSON SUBWAY WORKERS POLITICAL ACTION FUND, and RICHARD E FITZSIMMONS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1669 Decided by a vote of 4-0 to: (1) find reason to believe that MIDWEST VALUES PAC (MVP), and Thomas Borman as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1671 Decided by a vote of 4-0 to: (1) find reason to believe that MONTANA CREDIT UNIONS LEAGUE POLITICAL ACTION COMMITTEE, and JERRY W

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GUSTAFSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1673 Decided by a vote of 4-0 to: (1) find reason to believe that MZM INC. PAC, and O'Neil, Jeanne Ms. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1674 Decided by a vote of 4-0 to: (1) find reason to believe that NATIONAL ASSOCIATION FOR HOME CARE POLITICAL ACTION COMMITTEE, and MICHAEL N WOODS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1677 Decided by a vote of 4-0 to: (1) find reason to believe that PHILLIPS INTERNATIONAL INC POLITICAL ACTION COMMITTEE, and Estey, William Mr. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1680 Decided by a vote of 4-0 to: (1) find reason to believe that RESPONSIBILITY AND FREEDOM WORK PAC (RFPAC), and JOHN P NAIL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1684 Decided by a vote of 4-0 to: (1) find reason to believe that TEAMSTERS JOINT COUNCIL 53 POLITICAL ACTION COMMITTEE, and cardullo, paul as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1688 Decided by a vote of 4-0 to: (1) find reason to believe that UNITED STATES BEET SUGAR ASSOCIATION POLITICAL ACTION COMMITTEE, and JAMES JOHNSON 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 letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1681 Decided by a vote of 4-0 to: (1) find reason to believe that SAN MATEO COUNTY DEMOCRATIC CENTRAL COMMITTEE, and JUDITH A CHRISTENSEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

Attest:

April 11, 2007
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 12, 2007

Thomas Borman
Midwest Values PAC (MVP)
P.O. Box 583232
Minneapolis, MN 55458

C00416131
AF#: 1669

Dear Thomas Borman:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 30 Day Post-General Report of Receipts and Disbursements in a calendar year in which a regularly scheduled general election is held. This report, covering the period through 11/27/2006, shall be filed no later than 12/7/2006. 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 the 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 4/10/2007, the FEC found that there is reason to believe ("RTB") that Midwest Values PAC (MVP) and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before 12/7/2006. 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 \$9,000. It is due by 5/20/2007 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$354,447
Number of Days Late: Not Filed
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 5/20/2007. 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

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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 Midwest Values PAC (MVP) 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, 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 Rhiannon Ryan 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,



Robert D. Lenhard
Chairman

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at RTB is \$9,000 for the 2006 30 Day Post-General Report.

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

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

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

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

The remittance and your payment are due by 5/20/2007. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Midwest Values PAC (MVP)

FEC ID#: C00416131

AF#: 1669

PAYMENT DUE DATE: 5/20/2007

PAYMENT AMOUNT DUE: \$9,000

28092614366

RYAN, PHILLIPS, UTRECHT & MACKINNON*

ATTORNEYS AT LAW

* Nonlawyer Partner

1133 Connecticut Avenue, N.W.

Suite 300

Washington, D.C. 20036

(202) 293-1177

Facsimile (202) 293-3411

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2007 MAY 18 PM 3:43

May 18, 2007

Via Hand Delivery

Office of Administrative Review
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: AF#: 1669
Midwest Values PAC

To Whom It May Concern:

This is the response of Midwest Values PAC ("the Committee") in regards to the above-mentioned matter. The Committee is appealing the penalty, as calculated, and strongly urges the Commission to re-calculate based on the information below.

The Committee contends that it filed its 30 Day Post-General Report ("Report") timely, but, due to an administrative error, did not receive notification that the Report was not accepted by the electronic filing system. However, immediately upon receiving the Commission's notification, the Committee did file a paper version of the report and did so in accordance with Commission recommendations provided in the December 21, 2006 letter (attached) by John D. Gibson, Assistant Staff Director of the Reports Analysis Division (RAD). The letter explicitly states, "The Commission recommends that you submit your report via overnight delivery or courier service." No where in the letter does it suggest, recommend, or mandate electronic filing. Even if the Committee should have known to file electronically, the Commission letter created confusion and is ambiguous, at best – or, possibly, the Committee was erroneously sent the version of the letter intended for paper filers.

In response to Mr. Gibson's letter, the Committee's Compliance Director sent the report via overnight mail on December 31, 2006 and it was received by the Commission on January 3, 2007. After another notification, the Committee did file its report electronically on January 11, 2007. In this case, the Committee disagrees with the number of days late the Commission has used in its calculation of the fine. Currently, the Commission is using the date the Committee filed the report electronically. We believe the total number of days late should be 27, not 35, and

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28092614367

the correct calculation of the fine is accordance with 11 C.F.R. 111.43 should be \$7,400, not \$9,000.

Because the Committee followed the procedures as laid out in the Commission's communications and filed the report via overnight mail, we firmly believe the Committee should not be additionally penalized and encourage the Commission to re-calculate the fine in this matter.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Eric Kleinfeld
Counsel, Midwest Values PAC

Enclosures

28092614368

RECEIVED
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2007 MAY 18 PM 3:44

STATEMENT OF DESIGNATION OF COUNSEL

AF#: 1669

NAME: Eric Kleinfeld

ADDRESS: 1133 Connecticut Avenue, NW
Suite 300
Washington, DC 200036

TELEPHONE: 202-778-4040

FAX: 202-293-3411

The above named individuals are hereby designated as my counsel and are authorized to receive any notifications and other communications from the Commission and to act on the Committee's behalf before the Commission.

Date

April 30, 07

Signature

TH Borman

NAME: Midwest Values PAC
Thomas Borman, Treasurer

ADDRESS: P.O. Box 583232
Minneapolis, MN 55458

TELEPHONE: _____

28092614369



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 21, 2006

BQ-7

THOMAS BORMAN, TREASURER
MIDWEST VALUES PAC (MVP)
P.O. BOX 583232
MINNEAPOLIS, MN 55458

IDENTIFICATION NUMBER: C00416131

REFERENCE: POST-GENERAL REPORT 10/19/2006 - 11/27/2006

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED. YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C., 20463. A COPY OF THE REPORT OR RELEVANT PORTIONS MUST ALSO BE FILED WITH THE SECRETARY OF THE STATE OR EQUIVALENT STATE OFFICER UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT WWW.FEC.GOV.

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IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT CHRISTOPHER RITCHIE AT OUR TOLL FREE NUMBER (800)424-9530. OUR DIRECT LOCAL NUMBER IS (202)694-1130.

SINCERELY,

JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION (RAD)

28092614370

26039321353



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

May 22, 2007

Eric Kleinfeld
Ryan, Phillips, Utrecht & MacKinnon
1133 Connecticut Avenue, NW, Suite 300
Washington, DC 20036

C00416131
AF# 1669

Dear Mr. Kleinfeld:

On May 21, 2007, the Commission received your written response ("challenge") for the Midwest Values PAC and Thomas Borman, as Treasurer, which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in cursive script that reads "Jill Sugarman".

Jill Sugarman
Reviewing Analyst
Office of Administrative Review

28092614371

Date: May 29, 2007

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

AF#: 1669

Committee Name: Midwest Values PAC (MVP)

Committee ID#: C00416131

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

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

Attachments:

**Copy of RTB Circulation Report, dated April 4, 2007 and RTB Certification,
dated April 10, 2007: Previously Forwarded
Certified Return Receipt (to be forwarded at later date if not yet received): Y
Attachment #: 1**

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

Attachment #: N/A

RAD Staff Declaration:

-2006 Post-General Reminder Notice, dated November 13, 2006.

-Non-Filer Letter, dated December 21, 2006.

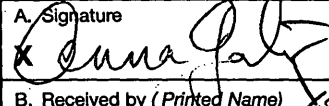
-RTB Letter, dated April 12, 2007.

Attachment #: 3

Other RAD Information (Y/N): N

28092614372

28092614373

| SENDER: COMPLETE THIS SECTION | | COMPLETE THIS SECTION ON DELIVERY | |
|--|--|---|--|
| <ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. | | <p>A. Signature </p> <p>B. Received by (Printed Name) ANNA GOLTZ</p> <p>C. Date of delivery APR 17 2007</p> <p>D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | |
| <p>1. Article Addressed to:</p> <p>THOMAS BORMAN MIDWEST VALUES PAC (MVP) P.O. BOX 583232 MINNEAPOLIS, MN 55458</p> | | <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> | |
| <p>2. Article Number (Transfer from service label)</p> | | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> | |
| <p>7006 0810 0005 9266 6747</p> | | | |

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

DECLARATION OF PATRICIA CARMONA

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the research conducted with regard to the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to the Midwest Values PAC (MVP):
 - Reminder Notice, dated November 13, 2006, referencing the 2006 Post-General Report.
 - Non-Filer Letter, dated December 21, 2006, referencing the 2006 Post-General Report.
 - Reason-to-Believe Letter, dated April 12, 2007, referencing the 2006 Post-General Report.
3. I hereby certify that I have searched the Commission's public records and find that the Midwest Values PAC (MVP) filed the 2006 Post-General Report with the Federal Election Commission on January 11, 2007.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and we have provided all relevant telecoms for the case. This declaration was executed at Washington, D.C. on the 29th day of May, 2007.



Patricia Carmona
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

● GENERAL ELECTION ●
REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

November 13, 2006

*****REMINDER**

REMINDER

REMINDER***

All party committees and PACs (nonconnected committees and separate segregated funds) must file a Post-General Election Report.

Reports sent by registered or certified mail must be postmarked by the mailing date (December 7, 2006). If using overnight mail, the delivery service must receive the report by the mailing date (December 7, 2006). Otherwise, they must be received by the filing date (December 7, 2006).

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100

20092614375



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 21, 2006

RQ-7

THOMAS BORMAN, TREASURER
MIDWEST VALUES PAC (MVP)
P.O. BOX 583232
MINNEAPOLIS, MN 55458

IDENTIFICATION NUMBER: C00416131

REFERENCE: POST-GENERAL REPORT 10/19/2006 - 11/27/2006

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED. YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT.

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IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT CHRISTOPHER RITCHIE AT OUR TOLL FREE NUMBER (800) 424-9530. OUR DIRECT LOCAL NUMBER IS (202) 694-1130.

SINCERELY,

A handwritten signature in black ink, appearing to read "John D. Gibson".

JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION (RAD)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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COMMISSION
SECRETARIAT

2007 SEP 19 P 12:53

September 19, 2007

MEMORANDUM

To: The Commission

Through: Patrina M. Clark *PM*
Staff Director

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

Shawn Woodhead Werth *SW*
Reviewing Officer
Office of Administrative Review

Subject: AF# 1669 - Midwest Values PAC and Thomas Borman, as
Treasurer (C00416131)

SENSITIVE

The respondents' challenge for this case was due May 20, 2007, after the April 30, 2007 effective date of the revised administrative fine regulations. The Office of General Counsel informed this Office that if the respondents' challenge is due after the April 30 effective date, the new rules apply. The Reviewing Officer's recommendation, therefore, is based on the new rules.

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

28092614377



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 19, 2007

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

AF# 1669 – Midwest Values PAC (MVP) and Thomas Borman, as Treasurer
(C00416131)

On April 10, 2007, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2006 30 Day Post-General Report and made a preliminary determination that the civil money penalty was \$9,000 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on April 12, 2007 of the Commission's RTB finding and civil money penalty.

Respondents' Response

On May 18, 2007, the Commission received the written response, supporting documentation, and designation of counsel statement ("challenge") from Eric Kleinfeld, counsel for the respondents. Counsel says that they are challenging the RTB civil money penalty because they contend that they timely filed the report, but due to an "administrative error," were not aware that the Commission's electronic filing system did not accept it. When they received RAD's December 21 letter, the Committee's Compliance Director sent the paper version of the report via overnight mail on December 31, 2006 "in accordance with the ... recommendations ... in the ... letter." The letter's instructions "recommend[] that you submit your report via overnight delivery or courier service" but does not "suggest, recommend, or mandate electronic filing" which "created confusion," was "ambiguous at best," or "was erroneously sent." After the respondents received RAD's second letter, they electronically filed the report on January 11, 2007. Counsel says they also dispute the number of days late used in the calculation of the penalty and believe that the number of days late "should be 27, not 35, and the correct ... fine ... should be \$7,400, not \$9,000."

Submitted with the challenge is a copy of RAD's December 21 letter.

Analysis of Challenge

The Federal Election Campaign Act ("Act") requires that the treasurer of a political committee file a report no later than 30 days after any general election. 2 U.S.C. § 434(a)(4)(A)(iii) and 11 C.F.R. § 104.5(c)(1)(iii). Political committees required to file reports with the Commission must file in an electronic format if they have received contributions or made expenditures or expect to receive contributions or make expenditures in a calendar year aggregating in excess of \$50,000. 2 U.S.C. § 434(a)(11) and 11 C.F.R. § 104.18(a). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(a).

Commission records show that the Committee exceeded the \$50,000 mandatory electronic filing threshold during the 2005 Year End reporting period. They were, therefore, required to file their reports electronically in 2006.

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Neither counsel nor the respondents explain what the "administrative error" is that prevented them from realizing that the Commission did not receive their report on December 7. The EFO logs have no record that they tried to upload the report on that date, but if they had successfully uploaded it and it then did not pass the validation process, a rejection email would have been sent to them. Furthermore, on December 8, the Electronic Filing Office ("EFO") sent an email to them which informed them that the Commission did not receive the report. The FEC server mail log, which stores the email address provided by the filer, shows that this email was sent to shelli@qbhelp.com; however, there is no indication from RAD's telecoms (written records of telephone conversations) or the EFO logs that the respondents tried to contact anyone or electronically file the report in response to this email.

After receipt of RAD's December 21 Non-Filer Notice, they submitted a paper copy on January 2 by overnight delivery. After receipt of the paper copy on January 3, RAD sent them the January 5 Notice, which said the paper submission was unacceptable. Ms. Hesselroth called the RAD Analyst on January 11. She told him that they submitted it on paper because the Non-Filer Notice's instructions said to send it that way via express mail. When the Analyst explained that this filing method applies to committees that would otherwise file by mail and they still needed to file it electronically, Ms. Hesselroth said she disagreed with his interpretation of the letter's instructions. Commission records show that they electronically filed the report that same day.

The purpose of the Non-Filer Notice was to tell treasurers that they needed to file the 30 Day Post-General Report if they had not already done so. It also advised those treasurers who were permitted to file their committees' reports on paper that they should send the report by overnight delivery or courier service to avoid delays associated with heightened security screening measures. The Notice was not meant to advise treasurers who were required to file their committees' reports electronically that it was acceptable to file this report on paper. According to the Acting Assistant Staff Director for RAD, the Non-Filer Notice was subsequently revised and now specifically informs electronic filers that they must file their reports in an electronic format.

At the time of the RTB finding, the report was considered not filed as it was filed 35 days late. The Reviewing Officer believes that the confusion resulting from the Notice's instructions should be taken into consideration at final determination. Had the Committee not exceeded the \$50,000 mandatory electronic filing threshold, the paper copy would have been considered filed 26 days late because it was submitted on January 2, 2007 by an overnight delivery service with an on-line tracking system and scheduled for next business day delivery. 2 U.S.C. § 434(a)(5) and 11 C.F.R. § 104.5(e). Using the same level of activity (\$354,447) as was used at the time of the RTB finding, the amount of the civil money penalty at final determination would be $[\$2,000 + (\$200 \times 26)] \times [1 + (.25 \times 0)]$ or \$7,200, reduced from the \$9,000 RTB civil money penalty calculation. 11 C.F.R. § 111.43(a), (d) and (e).

The Reviewing Officer, therefore, recommends that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$7,200.

OAR Recommendations

- (1) Adopt the Reviewing Officer Recommendation for AF# 1669 involving the Midwest Values PAC and Thomas Borman, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 1669 that the Midwest Values PAC and Thomas Borman, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$7,200 (reduced from the RTB civil money penalty of \$9,000); and
- (3) Send the appropriate letter.

Attachments

- Attachment 1 - Challenge Received from Respondents
- Attachment 2 -
- Attachment 3 -
- Attachment 4 - Declaration from RAD
- Attachment 5 - Declaration from OAR

28092614380

RYAN, PHILLIPS, UTRECHT & MACKINNON*

ATTORNEYS AT LAW
* Nonlawyer Partner

1133 Connecticut Avenue, N.W.
Suite 300
Washington, D.C. 20036

(202) 293-1177
Facsimile (202) 293-3411

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2007 MAY 18 PM 3:43

Attachment # 1
4 Pages

May 18, 2007

Via Hand Delivery

Office of Administrative Review
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: **AF#: 1669**
Midwest Values PAC

To Whom It May Concern:

This is the response of Midwest Values PAC ("the Committee") in regards to the above-mentioned matter. The Committee is appealing the penalty, as calculated, and strongly urges the Commission to re-calculate based on the information below.

The Committee contends that it filed its 30 Day Post-General Report ("Report") timely, but, due to an administrative error, did not receive notification that the Report was not accepted by the electronic filing system. However, immediately upon receiving the Commission's notification, the Committee did file a paper version of the report and did so in accordance with Commission recommendations provided in the December 21, 2006 letter (attached) by John D. Gibson, Assistant Staff Director of the Reports Analysis Division (RAD). The letter explicitly states, "The Commission recommends that you submit your report via overnight delivery or courier service." No where in the letter does it suggest, recommend, or mandate electronic filing. Even if the Committee should have known to file electronically, the Commission letter created confusion and is ambiguous, at best – or, possibly, the Committee was erroneously sent the version of the letter intended for paper filers.

In response to Mr. Gibson's letter, the Committee's Compliance Director sent the report via overnight mail on December 31, 2006 and it was received by the Commission on January 3, 2007. After another notification, the Committee did file its report electronically on January 11, 2007. In this case, the Committee disagrees with the number of days late the Commission has used in its calculation of the fine. Currently, the Commission is using the date the Committee filed the report electronically. We believe the total number of days late should be 27, not 35, and

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the correct calculation of the fine is accordance with 11 C.F.R. 111.43 should be \$7,400, not \$9,000.

Because the Committee followed the procedures as laid out in the Commission's communications and filed the report via overnight mail, we firmly believe the Committee should not be additionally penalized and encourage the Commission to re-calculate the fine in this matter.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Eric Kleinfeld
Counsel, Midwest Values PAC

Enclosures

28092614382

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2007 MAY 18 PM 3:44

STATEMENT OF DESIGNATION OF COUNSEL

AF#: 1669

NAME: Eric Kleinfeld

ADDRESS: 1133 Connecticut Avenue, NW
Suite 300
Washington, DC 200036

TELEPHONE: 202-778-4040

FAX: 202-293-3411

The above named individuals are hereby designated as my counsel and are authorized to receive any notifications and other communications from the Commission and to act on the Committee's behalf before the Commission.

Date

April 30, 07

Signature

THB

NAME: Midwest Values PAC
Thomas Borman, Treasurer

ADDRESS: P.O. Box 583232
Minneapolis, MN 55458

TELEPHONE: _____

28092614383



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 21, 2006

EQ-7

THOMAS BORMAN, TREASURER
MIDWEST VALUES PAC (MVP)
P.O. BOX 583232
MINNEAPOLIS, MN 55458

IDENTIFICATION NUMBER: C00416131

REFERENCE: POST-GENERAL REPORT 10/19/2006 - 11/27/2006

DEAR TREASURER:

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IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT CHRISTOPHER RITCHIE AT OUR TOLL FREE NUMBER (800) 424-9530. OUR DIRECT LOCAL NUMBER IS (202) 694-1130.

SINCERELY,

JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION (RAD)

26092614384

26039321353

DECLARATION OF SHAWN WOODHEAD WERTH

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I supervise research conducted with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2006 30 Day Post-General Report, covering the period from October 19 through November 27, 2006, is due December 7, 2006. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m. Eastern Standard/Daylight Time on December 7 to be timely filed.
3. It is the practice of the Commission's Electronic Filing Office to send an electronic notice acknowledging the receipt and acceptance of electronic filings.
4. It is the practice of the Commission's Reports Analysis Division to send a mailgram to mandatory electronic filing committees and treasurers at their address of record notifying them that they failed to file a report in an electronic format.
5. I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of:
 - a) Page 1 of the Summary Page, and Pages 3 and 4 of the Detailed Summary Page for the 2005 Year End Report filed electronically by the Midwest Values PAC and Thomas Borman, as Treasurer. According to Commission records, the report was received January 31, 2006. For the calendar year to date, Lines 11(d) and 21(b) list \$168,227.00 and \$54,540.61, respectively, in contributions received and federal operating expenditures;
 - b) the cover letter dated December 31, 2006 and signed by Shelli Hesselroth, Page 1 of the Summary Page, and Envelope Replacement Page of the paper copy of the report covering the period from October 19 through November 27, 2006 for Midwest Values PAC and Thomas Borman, as Treasurer. According to Commission records, the paper copy was sent via UPS January 2, scheduled for next business day delivery, and received January 3, 2007. The letter states that "I was unaware that [the report] was not received.... Enclosed is a copy.... We have implemented a review procedure to avoid future filing errors;"
 - c) the failure to file electronically letter which references the 30 Day Post-General Report and is signed by John D. Gibson. According to Commission records, the letter is dated January 5, 2007;
 - d) the electronic letter which references the Post-General Report filed by the Midwest Values PAC and Thomas Borman, as Treasurer. According to Commission records, the letter was received January 11, 2007. The letter states that "[w]e have resubmitted the report through electronic filing" and "implemented a review procedure to avoid future electronic filing errors;" and
 - e) Page 1 of the Summary Page, and Pages 3 and 4 of the Detailed Summary Page for the 2006 30 Day Post-General Report filed electronically by the Midwest Values PAC and Thomas Borman, as Treasurer. According to Commission records, the report covers the period from October 19 through November 27, 2006 and was received January 11, 2007. Line 19, Column A lists \$197,139.04 in total receipts for this period. Line 31, Column A lists \$157,308.78 in total disbursements for this period.

6. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 19th of September, 2007.



Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

20092614386

FEC
FORM 3XREPORT OF RECEIPTS
AND DISBURSEMENTS
For Other Than An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)USE FEC MAILING LABEL
OR TYPE OR PRINTExample: If typing, type
over the lines

Midwest Values PAC

ADDRESS (number and street)

P.O. Box 583232

Check if different
than previously
reported. (ACC)

Minneapolis

MN

55458

2. FEC IDENTIFICATION NUMBER

CITY A

STATE A

ZIP CODE A

C00416131

3. IS THIS
REPORT

X

NEW
(N)

OR

AMENDED
(A)4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:

April 15
Quarterly Report (Q1)July 15
Quarterly Report (Q2)October 15
Quarterly Report (Q3)X January 31
Quarterly Report (YE)July 31 Mid-Year
Report (Non-election
Year Only) (MY)Termination Report
(TER)(b) Monthly
Report
Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)
(Non-Election
Year Only)

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12)
(Non-Election
Year Only)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

(c) 12-Day
PRE-Election
Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of(d) 30-Day
Post-Election
Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period

10

28

2005

through

12

31

2006

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Thomas Borman

Signature of Treasurer

Electronically Filed by Thomas Borman

Date

01

30

2006

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

Office
Use
OnlyFEC FORM 3X
(Rev. 02/2003)

28092614387

DETAILED SUMMARY PAGE OF RECEIPTS

FEC Form 3X (Rev. 02/2003)

Page 3

Write or Type Committee Name
Midwest Values PAC

Report Covering the Period: From: 10th 26th 2005 To: 12th 31st 2005

| I. Receipts | COLUMN A Total This Period | COLUMN B Calendar Year-to-Date |
|--|-------------------------------|-----------------------------------|
| 11. Contributions (other than loans) From: | | |
| (a) Individuals/Persons Other Than Political Committees | | |
| (i) Itemized (use Schedule A) | 151708.00 | 151708.00 |
| (ii) Unitemized | 9449.00 | 9449.00 |
| (iii) TOTAL (add Lines 11(a)(i) and (ii)) | 161157.00 | 161157.00 |
| (b) Political Party Committees | 0.00 | 0.00 |
| (c) Other Political Committees (such as PACs) | 7070.00 | 7070.00 |
| (d) Total Contributions (add Lines 11(a)(iii), (b) and (c)) (Carry Totals to Line 33, page 5) | 168227.00 | 168227.00 |
| 12. Transfers From Affiliated/Other Party Committees | 0.00 | 0.00 |
| 13. All Loans Received | 0.00 | 0.00 |
| 14. Loan Repayments Received | 0.00 | 0.00 |
| 15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5) | 0.00 | 0.00 |
| 16. Refunds of Contributions Made to Federal candidates and Other Political Committees | 0.00 | 0.00 |
| 17. Other Federal Receipts (Dividends, Interest, etc.) | 29.42 | 29.42 |
| 18. Transfers from Non-Federal and Levin Funds | | |
| (a) Non-Federal Account (from Schedule H3) | 0.00 | 0.00 |
| (b) Levin Funds (from Schedule H5) | 0.00 | 0.00 |
| (c) Total Transfer (add 18(a) and 18(b)) | 0.00 | 0.00 |
| 19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)) | 168256.42 | 168256.42 |
| 20. Total Federal Receipts (subtract Line 18(c) from Line 19) | 168256.42 | 168256.42 |

2809261438

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

| II. DISBURSEMENTS | COLUMN A Total This Period | COLUMN B Calendar Year-to-Date |
|---|-------------------------------|-----------------------------------|
| 21. Operating Expenditures: | | |
| (a) Shared Federal/Non-Federal Activity (from Schedule H4) | | |
| (i) Federal Share..... | 0.00 | 0.00 |
| (ii) Non-Federal Share..... | 0.00 | 0.00 |
| (b) Other Federal Operating Expenditures..... | 54540.61 | 54540.61 |
| (c) Total Operating Expenditures (add 21(a)(i), (a)(ii) and (b))..... ▶ | 54540.61 | 54540.61 |
| 22. Transfers to Affiliated/Other Party Committees..... | 0.00 | 0.00 |
| 23. Contributions to Federal Candidates/Committees and Other Political Committees..... | 7000.00 | 7000.00 |
| 24. Independent Expenditure (use Schedule E)..... | 0.00 | 0.00 |
| 25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(d)) (use Schedule F)..... | 0.00 | 0.00 |
| 26. Loan Repayments Made..... | 0.00 | 0.00 |
| 27. Loans Made..... | 0.00 | 0.00 |
| 28. Refunds of Contributions To: | | |
| (a) Individuals/Persons Other Than Political Committees..... | 0.00 | 0.00 |
| (b) Political Party Committees..... | 0.00 | 0.00 |
| (c) Other Political Committees (such as PACs)..... | 0.00 | 0.00 |
| (d) Total Contribution Refunds (add Lines 28(a), (b), and (c))..... ▶ | 0.00 | 0.00 |
| 29. Other Disbursements..... | 0.00 | 0.00 |
| 30. Federal Election Activity (2 U.S.C. 431(20)) | | |
| (a) Shared Federal Election Activity (from Schedule H6) | | |
| (i) Federal Share..... | 0.00 | 0.00 |
| (ii) "Levin" Share..... | 0.00 | 0.00 |
| (b) Federal Election Activity Paid Entirely With Federal Funds..... | 0.00 | 0.00 |
| (c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)).... | 0.00 | 0.00 |
| 31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)).. | 61540.61 | 61540.61 |
| 32. Total Federal Disbursements (subtract Line 21(a)(ii) from Line 30(a)(ii) from Line 31)..... | 61540.61 | 61540.61 |

20092614389

MIDWEST VALUES PAC

RECEIVED
FEC MAIL
OPERATIONS CENTER

Al Franken, Honorary Chair

December 31, 2006

John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: Post-General Report 10/19/2006 – 11/27/2006

Dear Mr. Gibson:

This is the response of the Midwest Values PAC (the "Committee") to the Commission's request for information regarding the Committee's Post-General Report.

The Post-General Report was electronically on the due date, December 7, 2006. I was unaware that it was not received by the Federal Election Commission. Enclosed is a copy of the report. I apologize for the oversight. We have implemented a review procedure to avoid future filing errors.

Please contact me at 763-559-7737 if you have any questions regarding this report.

Sincerely,

Shelli Hesselroth

Shelli Hesselroth
Compliance Officer

**FEC
FORM 3X**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

RECEIVED
FEC MAIL
OPERATIONS CENTER

2007 JAN -3 P 12:00

Office Use Only

1. NAME OF COMMITTEE (In full) USE FEC MAILING LABEL OR TYPE OR PRINT ▼ Example: If typing, type over the lines

Midwest Values PAC

ADDRESS (number and street)

P.O. Box 583232

☐ Check if different than previously reported. (ACC)

Minneapolis

MN

55458

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C00418131

3. IS THIS REPORT

☒ NEW (N)

OR

☐ AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- ☐ April 15 Quarterly Report(Q1)
☐ July 15 Quarterly Report(Q2)
☐ October 15 Quarterly Report(Q3)
☐ January 31 Quarterly Report(YE)
☐ July 31 Mid-Year Report(Non-election Year Only) (MY)
☐ Termination Report (TER)

(b) Monthly Report Due On:

- ☐ Feb 20 (M2) ☐ May 20 (M5) ☐ Aug 20 (M8) ☐ Nov 20 (M11) (Non-Election Year Only)
☐ Mar 20 (M3) ☐ Jun 20 (M6) ☐ Sep 20 (M9) ☐ Dec 20 (M12) (Non-Election Year Only)
☐ Apr 20 (M4) ☐ Jul 20 (M7) ☐ Oct 20 (M10) ☐ Jan 31 (YE)

(c) 12-Day PRE-Election Report for the:

- ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
☐ Convention (12C) ☐ Special (12G)

Election on

In the State of

(d) 30-Day Post -Election Report for the:

- ☒ General (30G) ☐ Runoff (30R) ☐ Special (30S)
Election on 11 07 2006 In the State of MN

5. Covering Period

10

19

2006

through

11

27

2006

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Thomas Borman

Signature of Treasurer

Electronically Filed by Thomas Borman

Date

12

07

2006


NOTE : Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office
Use
Only

FEC FORM 3X
(Rev. 02/2003)

2709934344501

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
The FEC added this page to the end of this filing to indicate how it was received.

| | |
|--|--------------------------------|
| <input type="checkbox"/> Hand Delivered | Date of Receipt |
| <input type="checkbox"/> USPS First Class Mail | Postmarked |
| <input type="checkbox"/> USPS Registered/Certified | Postmarked (R/C) |
| <input type="checkbox"/> USPS Priority Mail | Postmarked |
| Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/> | |
| <input type="checkbox"/> USPS Express Mail | Postmarked |
| <input type="checkbox"/> Postmark Illegible | |
| <input type="checkbox"/> No Postmark | |
| <input checked="" type="checkbox"/> Overnight Delivery Service (Specify): <u>UPS</u> | Shipping Date <u>1/2/07</u> |
| Next Business Day Delivery <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> Received from House Records & Registration Office | Date of Receipt |
| <input type="checkbox"/> Received from Senate Public Records Office | Date of Receipt |
| <input type="checkbox"/> Received from Electronic Filing Office | Date of Receipt |
| <input type="checkbox"/> Other (Specify): | Date of Receipt or Postmarked |
|  | <u>1/3/07</u> |
| PREPARER | DATE PREPARED |

(3/2005)

220993261249792



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MS-P

January 5, 2007

Thomas Borman, Treasurer
Midwest Values PAC (MVP)
P.O. Box 583232
Minneapolis, MN 58323

Identification Number: C00416131

Reference: 30 Day Post-General Report (10/19/2006 – 11/27/2006)

Dear Treasurer:

Your Committee has failed to file the above-referenced report in an electronic format. In accordance with 11 C.F.R. 104.18, you are required to file this report electronically. 11 C.F.R. 104.18 further states that reports filed on paper do not satisfy a political committee's filing obligation. Your reporting obligation will not be satisfied until you file the above-referenced report in an electronic format. You should also review 11 C.F.R. 104.18 of the regulations regarding your future reporting obligations.

It is important that you file this report in an electronic format immediately with the Federal Election Commission. The failure to timely file this report may result in civil money penalties, an audit or legal enforcement action. The civil money calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have further questions regarding this matter, please contact Kim Doughty in the Reports Analysis Division on our toll free number (800) 424-9530. Our local number is 202-694-1130.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

2768993514393

FEC
FORM 3XREPORT OF RECEIPTS
AND DISBURSEMENTS
For Other Than An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)USE FEC MAILING LABEL
OR TYPE OR PRINTExample: If typing, type
over the lines

Midwest Values PAC

ADDRESS (number and street)

P.O. Box 583232

Check if different
than previously
reported. (ACC)

Minneapolis

MN

55458

2. FEC IDENTIFICATION NUMBER

CITY A

STATE A

ZIP CODE A

C00416131

3. IS THIS
REPORT

x

NEW
(N)

OR

AMENDED
(A)4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:

April 15
Quarterly Report (Q1)July 15
Quarterly Report (Q2)October 15
Quarterly Report (Q3)January 31
Quarterly Report (YE)July 31 Mid-Year
Report (Non-election
Year Only) (MY)Termination Report
(TER)(b) Monthly
Report
Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)
(Non-Election
Year Only)

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12)
(Non-Election
Year Only)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

(c) 12-Day
PRE-Election
Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of(d) 30-Day
Post-Election
Report for the:

X

General (30G)

Runoff (30R)

Special (30S)

Election on

11

07

2006

in the
State of

MN

5. Covering Period

10

19

2006

through

11

27

2006

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Thomas Borman

Signature of Treasurer

Electronically Filed by Thomas Borman

Date

01

11

2007

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

Office
Use
OnlyFEC FORM 3X
(Rev. 02/2003)

20092614394

DETAILED SUMMARY PAGE OF RECEIPTS

FEC Form 3X (Rev. 02/2003)

Page 3

Write or Type Committee Name
Midwest Values PAC

Report Covering the Period: From: 10 19 2006 To: 11 27 2006

| I. Receipts | COLUMN A Total This Period | COLUMN B Calendar Year-to-Date |
|--|-------------------------------|-----------------------------------|
| 11. Contributions (other than loans) From: | | |
| (a) Individuals/Persons Other Than Political Committees | 79205.00 | 650059.53 |
| (i) Itemized (use Schedule A) | 117883.16 | 314566.33 |
| (ii) Unitemized | | |
| (iii) TOTAL (add Lines 11(a)(i) and (ii)) | 197088.16 | 964625.86 |
| (b) Political Party Committees | 0.00 | 0.00 |
| (c) Other Political Committees (such as PACs) | 0.00 | 2250.00 |
| (d) Total Contributions (add Lines 11(a)(iii), (b) and (c)) (Carry Totals to Line 33, page 5) | 197088.16 | 966875.86 |
| 12. Transfers From Affiliated/Other Party Committees | 0.00 | 0.00 |
| 13. All Loans Received | 0.00 | 0.00 |
| 14. Loan Repayments Received | 0.00 | 0.00 |
| 15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5) | 0.00 | 2314.98 |
| 16. Refunds of Contributions Made to Federal candidates and Other Political Committees | 0.00 | 0.00 |
| 17. Other Federal Receipts (Dividends, Interest, etc.) | 50.88 | 1835.87 |
| 18. Transfers from Non-Federal and Levin Funds | | |
| (a) Non-Federal Account (from Schedule H3) | 0.00 | 8000.00 |
| (b) Levin Funds (from Schedule H5) | 0.00 | 0.00 |
| (c) Total Transfer (add 18(a) and 18(b)) | 0.00 | 8000.00 |
| 19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)) | 197139.04 | 979026.71 |
| 20. Total Federal Receipts (subtract Line 18(c) from Line 19) | 197139.04 | 971026.71 |

26092614395

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

| II. DISBURSEMENTS | COLUMN A Total This Period | COLUMN B Calendar Year-to-Date |
|---|-------------------------------|-----------------------------------|
| 21. Operating Expenditures: | | |
| (a) Shared Federal/Non-Federal Activity (from Schedule H4) | | |
| (i) Federal Share..... | 0.00 | 7999.99 |
| (ii) Non-Federal Share..... | 0.00 | 8000.00 |
| (b) Other Federal Operating Expenditures..... | 76783.78 | 620643.70 |
| (c) Total Operating Expenditures (add 21(a)(i), (a)(ii) and (b))..... | 76783.78 | 636643.69 |
| 22. Transfers to Affiliated/Other Party Committees..... | 20000.00 | 95000.00 |
| 23. Contributions to Federal Candidates/Committees and Other Political Committees..... | 60500.00 | 220100.00 |
| 24. Independent Expenditure (use Schedule E)..... | 0.00 | 0.00 |
| 25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(d)) (use Schedule F)..... | 0.00 | 0.00 |
| 26. Loan Repayments Made..... | 0.00 | 0.00 |
| 27. Loans Made..... | 0.00 | 0.00 |
| 28. Refunds of Contributions To: | | |
| (a) Individuals/Persons Other Than Political Committees..... | 25.00 | 1860.00 |
| (b) Political Party Committees..... | 0.00 | 0.00 |
| (c) Other Political Committees (such as PACs)..... | 0.00 | 0.00 |
| (d) Total Contribution Refunds (add Lines 28(a), (b), and (c))..... | 25.00 | 1860.00 |
| 29. Other Disbursements..... | 0.00 | 32500.00 |
| 30. Federal Election Activity (2 U.S.C. 431(20)) | | |
| (a) Shared Federal Election Activity (from Schedule H6) | | |
| (i) Federal Share..... | 0.00 | 0.00 |
| (ii) "Levin" Share..... | 0.00 | 0.00 |
| (b) Federal Election Activity Paid Entirely With Federal Funds..... | 0.00 | 0.00 |
| (c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)).... | 0.00 | 0.00 |
| 31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)).. | 157308.78 | 986103.69 |
| 32. Total Federal Disbursements (subtract Line 21(a)(ii) from Line 30(a)(ii) from Line 31)..... | 157308.78 | 978103.69 |

26082614396

ETEXT ATTACHMENT

01/11/2007 14:01

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: Midwest Values PAC, FEC Id. No.C00418131, Post-General Report (10/19/2006 - 11/27/2006)

Dear Mr. Gibson:

This letter is in response to your letter concerning the Midwest Values PAC's Post-General Report of receipts and disbursements, covering 10/19/2006 - 11/27/2006.

The Post-General Report was filed electronically on the due date, December 7, 2006. We were not aware that it was not received by the Federal Election Commission. We have resubmitted the report through electronic filing. We have also implemented a review procedure to avoid future electronic filing errors.

If you have any additional questions regarding this response, please contact us at your convenience.

Sincerely,

Thomas Borman
Treasurer

28092614397



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

September 20, 2007

Eric Kleinfeld
Ryan, Phillips, Utrecht & MacKinnon
1133 Connecticut Avenue, NW, Suite 300
Washington, DC 20036

C00416131
AF# 1669

Dear Mr. Kleinfeld:

On April 10, 2007, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Midwest Values PAC (MVP) and Thomas Borman, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2006 30 Day Post-General Report. The Commission also made a preliminary determination that the civil money penalty, based on the schedule of penalties at 11 C.F.R. § 111.43, was \$9,000.

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

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF number in your response. Your response may not raise any arguments not raised in the original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "Shawn Woodhead Werth".

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

Attachment

28092614398



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 OCT -9 A 10: 22
October 5, 2007

MEMORANDUM

SENSITIVE

To: The Commission

Through: Patrina M. Clark *pmc*
Staff Director

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

Shawn Woodhead Werth *SWW*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 1669 – Midwest Values
PAC (MVP) and Thomas Borman, as Treasurer (C00416131)

On April 10, 2007, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2006 30 Day Post-General Report and also made a preliminary determination that the civil money penalty was \$9,000 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 18, 2007, the Commission received the respondents' written response ("challenge"). At the time of the RTB finding, the report was considered not filed as it was filed electronically 35 days late. Based on the review of the challenge and supplemental information provided by Commission staff, the Reviewing Officer believed that the confusion resulting from the Non-Filer Notice's instructions should be taken into consideration at final determination. Had the Committee not exceeded the \$50,000 mandatory electronic filing threshold, the paper copy would have been considered filed 26 days late because it was submitted on January 2, 2007 by one of the "safe harbor" methods outlined in 2 U.S.C. § 434(a)(5) and 11 C.F.R. § 104.5(e). Using the same level of activity as was used to calculate the RTB civil money penalty (\$354,447), the amount of the civil money penalty would be $[\$2,000 + (\$200 \times 26)] \times [1 + (.25 \times 0)]$ or \$7,200, reduced from the \$9,000 RTB civil money penalty calculation. 11 C.F.R. § 111.43(a), (d) and (e).

The Reviewing Officer's recommendation dated September 19, 2007 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission

28092614399

make a final determination that they violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$7,200.

A copy of the Reviewing Officer's recommendation was simultaneously forwarded to the respondents. Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in the respondents' challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

OAR Recommendations

- (1) Adopt the Reviewing Officer Recommendation for AF# 1669 involving the Midwest Values PAC (MVP) and Thomas Borman, as Treasurer, in making a final determination;
- (2) Make a final determination in AF# 1669 that the Midwest Values PAC (MVP) and Thomas Borman, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$7,200 (reduced from the RTB civil money penalty of \$9,000); and
- (3) Send the appropriate letter.

28092614400



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Tuesday, October 09, 2007 11:00

BALLOT DEADLINE: Friday, October 12, 2007 4:00

COMMISSIONER: LENHARD, MASON, von SPAKOVSKY, WALTHER, WEINTRAUB

SUBJECT: **Final Determination Recommendation in AF 1669 –
Midwest Values PAC (MVP) and Thomas Borman,
as Treasurer (C00416131). Memorandum from the
Chief Compliance Officer and the Reviewing Officer
dated October 5, 2007**

- () I approve the recommendation(s)
() I object to the recommendation(s)
() I am recused from voting
() No vote by ballot

COMMENTS: _____

DATE: _____

SIGNATURE: _____

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.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

26092614401

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 1669
Midwest Values PAC (MVP) and)
Thomas Borman, as Treasurer)
(C00416131))

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on October 12, 2007, the Commission decided by a vote of 5-0 to take
the following actions in AF 1669:

1. Adopt the Reviewing Officer recommendation for AF 1669
involving the Midwest Values PAC (MVP) and Thomas
Borman, as Treasurer, in making a final determination.
2. Make a final determination in AF 1669 that the Midwest Values
PAC (MVP) and Thomas Borman, as Treasurer, violated 2 U.S.C
§ 434(a) and assess a civil money penalty of \$7,200 (reduced
from the RTB civil money penalty of \$9,000).
3. Send the appropriate letter.

Commissioners Lenhard, Mason, von Spakovsky, Walther and Weintraub
voted affirmatively for the decision.

Attest:

October 12, 2007
Date

Darlene Harris
for Mary W. Dove
Secretary of the Commission

20092614402



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 16, 2007

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Eric Kleinfeld
Ryan, Phillips, Utrecht & MacKinnon
1133 Connecticut Avenue, NW, Suite 300
Washington, DC 20036

ID# C00416131
AF# 1669

Dear Mr. Kleinfeld:

On April 10, 2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Midwest Values PAC (MVP) and Thomas Borman, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2006 30 Day Post-General Report. By letter dated April 12, 2007, the Commission sent your clients notification of the RTB finding that included a civil money penalty calculated at RTB of \$9,000 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 18, 2007, the Office of Administrative Review received your written response challenging the RTB civil money penalty.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation, the written response, and supplemental information provided by Commission staff. Based on this review, the Reviewing Officer recommended that the Commission take into consideration the confusion resulting from the Non-Filer Notice's instructions, make a final determination that the Midwest Values PAC (MVP) and Thomas Borman, as Treasurer, violated 2 U.S.C. § 434(a), and assess a civil money penalty in the amount of \$7,200 based on the date that the paper copy was submitted by one of the "safe harbor" methods outlined in 2 U.S.C. § 434(a)(5). The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on September 20, 2007.

On October 12, 2007, the Commission adopted the Reviewing Officer's recommendation and made a final determination that the Midwest Values PAC (MVP) and Thomas Borman, as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$7,200 in accordance with 11 C.F.R. § 111.43. A copy of the final determination memorandum is attached.

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.

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 Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

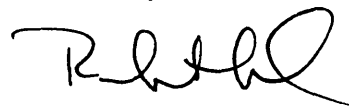
If You Choose to Appeal the Final Determination and/or Civil Money Penalty

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 respondents' 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 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Shawn Woodhead Werth on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,



Robert D. Lenhard
Chairman

Attachment

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$7,200 for the 2006 30 Day Post-General 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 979058
St. Louis, MO 63197-9000

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

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

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Midwest Values PAC (MVP)

FEC ID#: C00416131

AF#: 1669

PAYMENT AMOUNT DUE: \$7,200

FOR: Midwest Values PAC (MVP)

FEC ID#: C00416131

AF#: 1669

PAYMENT AMOUNT DUE: \$7,200

3

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000720000 BA# 1 10-22-07 20 4



| | | | |
|--|---------------------|-----------------------------|---------|
| Midwest Values PAC | | Wells Fargo 17-1/510 | 3703 |
| [REDACTED] | | | |
| PAY TO THE ORDER OF Federal Election Commission | | 10/17/2007 | |
| Seven Thousand Two Hundred and 00/100***** | | \$ 7,200.00 | |
| Federal Election Commission P.O. Box 979058 St. Louis, MO 63197-9000 | | | DOLLARS |
| MEMO: | C00416131, AF# 1669 | [Signature: Sheri D. Herse] | |
| [REDACTED] | | | |

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FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1669

DATE SCANNED 1/14/08

SCANNER NO. 2

SCAN OPERATOR ESS

28092614407