

THIS IS THE BEGINNING OF ADMINSTRATIVE FINE CASE

169

DATE FILMED 4/30/01 CAMERA NO. 4

CAMERAMAN SES

21.09.250.2061


**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

CONFIRMATION OF MAILGRAM

TO: LEE ANN FITZGERALD
CALIFORNIA VOTER GUIDE
1658 W CARSON ST # 454
Torrance CA 90501-3845

JOHN MUCKLE-REPORT ANALYSIS DIV.
FEDERAL ELECTION COMMISSION
999 E ST NW
WASHINGTON DC 20463

NOVEMBER 2, 2000

IDENTIFICATION NUMBER: 000305706

REFERENCE: OCTOBER QUARTERLY REPORT (07/01/2000 - 09/30/2000)

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 SHOULD ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER, UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES.

ALTHOUGH THE COMMISSION MAY INITIATE AN AUDIT OR LEGAL ENFORCEMENT ACTION CONCERNING THIS MATTER, YOUR PROMPT RESPONSE AND A LETTER OF EXPLANATION WILL BE TAKEN INTO CONSIDERATION.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT NEIL A. EVANS ON OUR TOLL FREE NUMBER (800)424-9530. OUR LOCAL NUMBER IS (202)694-1130.

SINCERELY,

JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

2002.052.60.12



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 28, 2000

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2000 NOV 28 P 1:16

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON
STAFF DIRECTOR

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

SUBJECT: REASON TO BELIEVE RECOMMENDATION -
2000 OCTOBER QUARTERLY REPORT FOR THE
ADMINISTRATIVE FINES PROGRAM

Attached are two lists of political committees and their treasurers who failed to file or timely file the 2000 October Quarterly Report in accordance with 2 U.S.C. 434(a). On September 21, 2000, Prior Notice was sent to all political committees and their treasurers, informing them that the 2000 October Quarterly Report was due on October 15, 2000. The report should cover from July 1, 2000 (or the closing date of the last report filed) through September 30, 2000.

The committees appearing on the first list (not election-sensitive) either filed the report more than five (5) days after the due date, failed to file the report or filed the report more than thirty (30) days after the due date (considered a non-filed report). The committees appearing on the second list (election-sensitive) either filed the report more than five (5) days after the due date, failed to file the report or failed to file the report prior to four (4) days before the general election (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties included on the attached lists.

21.09.250.2064

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)

- (3) Send the appropriate letters.

(4)

04 09 250 2055

DATE 11/28/2000
PAGE: 3

FEDERAL ELECTION COMMISSION 1999-2000
Reason to Believe Circulation Report
2000 OCTOBER QUARTERLY

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

AF0163	UNITED ASSOCIATION OF STEAM/PIPEFITTERS LOCAL UNION 524 POLITICAL PA						PA	Yes		0	\$300
	CO0131706 ANTHONY GALENAS				\$18,433						
	10/21/2000										

AF0169	CALIFORNIA VOTER GUIDE						CA	Yes		0	\$1,000
	CO0305706 * LEE ANN FITZGERALD				\$5,300						
	11/13/2000 * Not Filed										

* Defined as not filed

Gibson
Jc



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Tuesday, November 28, 2000 4:00

BALLOT DEADLINE: Friday, December 01, 2000 4:00

COMMISSIONER: MASON, McDONALD, SANDSTROM, SMITH, THOMAS, WOLD

SUBJECT: Reason To Believe Recommendation 2000 October
Quarterly Report For The Administrative Fines Program.

() I approve 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#)

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

DATE: _____

SIGNATURE: _____

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Reason to Believe Recommendation 2000
October Quarterly Report for the
Administrative Fines Program

)
)
)
)
)

Agenda Document
No. X00-87

RAY HAYNES FOR US SENATE, and BETTY
PRESLEY as treasurer;

)
)

AF# 98

DANNER FOR CONGRESS, and EARL SOETAERT
as treasurer;
MOORE FOR US SENATE, and LARRY KOPSA
as treasurer;

)
)
)
)

AF# 103

AF# 104

21-03-050-0063

SECRET

)
) AF# 169
)

CALIFORNIA VOTER GUIDE, and LEE ANN
FITZGERALD as treasurer;

CERTIFICATION

I, Darlene Harris, recording secretary for the
Federal Election Commission executive session on
December 5, 2000, do hereby certify that the
Commission took the following actions with respect
to the Reports Analysis Division's Memorandum dated
November 28, 2000, on the following committees:

AF# 98: Decided by a vote of 5-0 to: (1) find
reason to believe that RAY HAYNES FOR US SENATE, and
BETTY PRESLEY as treasurer, violated 2 U.S.C. 434(a)

Federal Election Commission
Certification for Administrative Fines
December 05, 2000

Page 24

AF# 169: Decided by a vote of 5-0 to: (1) find reason to believe that CALIFORNIA VOTER GUIDE, and LEE ANN FITZGERALD 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 Mason, McDonald, Sandstrom, Smith, and Wold voted affirmatively for the decision. Commissioner Thomas did not vote.

21.09.250.2070

Federal Election Commission
Certification for Administrative Fines
December 05, 2000

Page 26

Attest:

December 7, 2000
Date

Darlene Harris
Darlene Harris
Acting Deputy Secretary
of the Commission

21.09.250.2071

**WESTERN
UNION**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: LEE ANN FITZGERALD
CALIFORNIA VOTER GUIDE
1658 W CARSON ST # 454
TORRANCE CA 90501-3845

FEDERAL ELECTION COMMISSION
LEAH PALMER
999 E ST NW # 709
WASHINGTON DC 20463

DECEMBER 7, 2000

LEE ANN FITZGERALD
CALIFORNIA VOTER GUIDE
1658 W CARSON #454
TORRANCE CA 90501

C00305706
AF#: 169

DEAR LEE ANN FITZGERALD:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE AN OCTOBER QUARTERLY REPORT OF RECEIPTS AND DISBURSEMENTS IN A CALENDAR YEAR IN WHICH A REGULARLY SCHEDULED GENERAL ELECTION IS HELD. THIS REPORT, COVERING THE PERIOD THROUGH SEPTEMBER 30TH, SHALL BE FILED NO LATER THAN OCTOBER 15TH. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT. RECORDS AT THE COMMISSION INDICATE THAT THIS REPORT WAS NOT FILED PRIOR TO FOUR (4) DAYS BEFORE THE GENERAL ELECTION HELD ON NOVEMBER 7, 2000. YOU SHOULD FILE THE OCTOBER QUARTERLY REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE ACT WAS FURTHER AMENDED IN 1999 TO PERMIT THE FEDERAL ELECTION COMMISSION ("THE COMMISSION") 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 12/05/2000, THE COMMISSION FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT CALIFORNIA VOTER GUIDE AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE OCTOBER 15TH. BASED ON THE COMMISSION'S SCHEDULES OF CIVIL MONEY PENALTIES AT 11 CFR 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$1000.00. IT IS DUE BY 01/14/2001 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: ELECTION SENSITIVE
LEVEL OF ACTIVITY*: 35300
NUMBER OF DAYS LATE: NOT FILED
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 0

*IF THE REPORT WAS NOT RECEIVED, THE LEVEL OF ACTIVITY WAS ESTIMATED

21.09.250.2072

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

USING TOTAL RECEIPTS AND DISBURSEMENTS FOR THE CURRENT 2-YEAR ELECTION CYCLE (OR PRIOR CYCLE, IF NO REPORTS WERE FILED THIS CYCLE) DIVIDED BY THE NUMBER OF REPORTS FILED.

TO PAY THE CALCULATED CIVIL MONEY PENALTY

TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED REMITTANCE AND YOUR PAYMENT TO THE COMMISSION AT THE ADDRESS ON PAGE 3. UPON RECEIPT OF YOUR PAYMENT, THE COMMISSION 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 TO THE COMMISSION'S OFFICE OF ADMINISTRATIVE REVIEW, 999 E STREET, NW, WASHINGTON, DC 20463. YOUR RESPONSE MUST BE RECEIVED BY 01/14/2001. YOUR WRITTEN RESPONSE MUST INCLUDE THE REASON(S) WHY YOU ARE CHALLENGING THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY. THE COMMISSION WILL ONLY CONSIDER CHALLENGES THAT ARE BASED ON A FACTUAL ERROR, MISCALCULATION OF THE CALCULATED CIVIL MONEY PENALTY BY THE COMMISSION, OR THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES THAT PERSISTED FOR MORE THAN 48 HOURS THAT WERE BEYOND YOUR CONTROL AND PREVENTED YOU FROM FILING THE REPORT IN A TIMELY MANNER. YOUR RESPONSE MUST INCLUDE THE FACTUAL BASIS SUPPORTING THE REASON(S) AND SUPPORTING DOCUMENTATION. THE COMMISSION STRONGLY ENCOURAGES THAT DOCUMENTS BE SUBMITTED IN THE FORM OF AFFIDAVITS OR DECLARATIONS. EXTRAORDINARY CIRCUMSTANCES THAT WILL NOT BE CONSIDERED INCLUDE, BUT ARE NOT LIMITED TO, NEGLIGENCE, PROBLEMS WITH VENDORS OR CONTRACTORS, STAFF ILLNESS, COMPUTER FAILURES AND SIMILAR CIRCUMSTANCES. 11 CFR 111.35(b)(1)(iii) AND (4).

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 COMMISSION WILL ASSUME THAT THE PRECEDING FACTUAL ALLEGATIONS ARE TRUE AND MAKE A FINAL DETERMINATION THAT CALIFORNIA VOTER GUIDE 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 1990 ("DCA") AS AMENDED BY THE DEBT COLLECTION IMPROVEMENT ACT OF 1996, 31 U.S.C. 3701 ET SEQ. THE COMMISSION 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 CFR 111.45.

THIS MATTER WAS GENERATED BASED ON INFORMATION ASCERTAINED BY THE COMMISSION 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) UNLESS YOU NOTIFY THE COMMISSION IN WRITING THAT YOU WISH THE MATTER TO BE

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

MADE PUBLIC.

ADDITIONAL INFORMATION ON THE COMMISSION'S ADMINISTRATIVE FINE PROGRAM, INCLUDING THE FINAL REGULATIONS, IS LOCATED AT THE COMMISSION'S WEBSITE AT WWW.FEC.GOV. IF YOU HAVE QUESTIONS REGARDING THE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY, PLEASE CONTACT MARY E. SEILER IN THE REPORTS ANALYSIS DIVISION AT OUR TOLL FREE NUMBER (800)424-9530 (PRESS 1, THEN PRESS 2) OR (202)694-1130. IF YOU HAVE QUESTIONS REGARDING THE SUBMISSION OF A CHALLENGE, PLEASE CONTACT THE OFFICE OF ADMINISTRATIVE REVIEW AT OUR TOLL FREE NUMBER (800)424-9530 (PRESS 0, THEN EXT. 1660) OR (202)694-1660.

SINCERELY,

DARRYL WOLD
CHAIRMAN

* * * * *
ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 CFR 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$1000.00 FOR THE 2000 OCTOBER QUARTERLY REPORT.

PLEASE MAIL THIS REMITTANCE WITH A CHECK OR MONEY ORDER MADE PAYABLE TO THE FEDERAL ELECTION COMMISSION TO THE FOLLOWING ADDRESS:
FEDERAL ELECTION COMMISSION
P.O. BOX 952182
ST. LOUIS, MO 63195-2182

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

THE REMITTANCE AND YOUR PAYMENT ARE DUE BY 01/14/2001. UPON RECEIPT OF YOUR REMITTANCE AND PAYMENT, THE COMMISSION WILL SEND YOU A FINAL DETERMINATION LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: CALIFORNIA VOTER GUIDE

FEC ID#: C00305706

AF#: 169

PAYMENT DUE DATE: 01/14/2001

PAYMENT AMOUNT DUE: \$1000.00

CALIFORNIA VOTER GUIDE

1658 W. Carson Street, Suite 454
Torrance, California 90501
PH 310-787-6570
FAX 310-787-6574
WEB www.calvoterguide.com
EMAIL slate@flash.net

FEC OFFICE OF
ADMIN REVIEW

2000 JAN -2 14 2



December 28, 2000

Federal Election Commission
Commission's Office of Administrative Review
999 E Street NW
Washington, DC 20463

To Whom It May Concern:

This letter is sent pursuant to a \$1000 penalty for failure to file the required October Quarterly Report. This report was filed late; it was mailed from my office on November 6, 2000. I am not denying this report was late or that I did not know of the reporting deadline. At the time the October report was filed, I included a letter detailing the circumstances why the reports were late. I feel there were legitimate reasons for the late filing.

As a slate mailer organization our reports always generate questions. I have worked with various report analysts trying to make our reports conform more closely to the FEC's requirements understanding that for our purposes, there are limitations with Form 3X. In late September I received a letter from Neil Evans again asking for clarification on prior reports. Since it is time consuming for both the FEC and myself to keep asking and answering the same questions, I wanted to speak to Mr. Evans prior to filing the October report, hoping to avoid repeating the same errors. Unfortunately, I did not have time to call him or begin the reports until the end of October. Once I spoke with him the report was filed.

To say that I was too busy to file the reports on time sounds like an excuse since everyone involved in politics was busy during the election. However, it is the truth. Our office sent out over 4 million pieces of mail for the General election; most of this mail had to be programmed and proof read between October 6 and October 25.

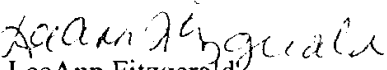
The state of California also had reporting deadlines, all of which were met. While the FEC's requirement is just as important as California's, of the 1100 candidates and measures on our slate card, only 20 were for Federal candidates. Therefore the priority had to be to ensure that the State's FPPC reports were received on time.

There was no intention on my part to withhold any information until after the election. Of the 20 Federal candidates, 6 sent us payments during the period that are reflected on the report. Although listed as contributions, they are actually payments for political advertising. Assessing a penalty of almost 20% of the \$5300 collected seems excessive considering that the slate card costs include printing, data processing and postage costs for these candidates.

I am asking that the assessment of this penalty be reconsidered. All the Federal candidates that appeared on our slate card were Republican nominees on a card that was mailed to Republican voters. The late filing of the report was not intended to mislead voters or other candidates. If you need any additional information, please let me know.

Thank you for your consideration.

Sincerely,


LeeAnn Fitzgerald
Treasurer



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

January 4, 2001

LeeAnn Fitzgerald, Treasurer
California Voter Guide
1658 W. Carson Street, Suite 454
Torrance, CA. 90501

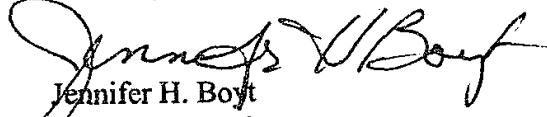
AF# 169
ID# C00305706

Dear Ms. Fitzgerald:

On December 5, 2000, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the California Voter Guide and you, as Treasurer, violated 2 U.S.C. § 434(a) with respect to the 2000 October Quarterly Report.

On January 3, 2001, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact me on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,


Jennifer H. Boyd
Reviewing Analyst
Office Of Administrative Review

**RECEIVED
FEDERAL ELECTION
COMMISSION DRR**

JAN 4 2001

Date: January 4, 2001

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

AF#: 169

Committee Name: California Voter Guide

Committee ID#: C00305706

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

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

Attachments:

Copy of RTB Report - Attachment #: 1

Copy of Redacted RTB Circulation Report - Attachment # : 2

Copy of RTB Mailgram - Attachment # : see declaration

**Certified Return Receipt (to be forwarded at later date if not yet received) -
Attachment #: 3**

**Other Reports (Redacted if Necessary) Used for RTB Review -
Attachment # : N/A**

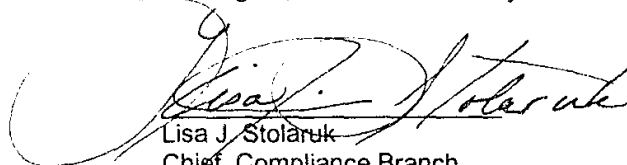
**Telecons and Visitcons in Response to RTB Mailgram (Y/N): N
Attachment # : N/A**

**Original Correspondence Received by RAD in Response to
RTB Mailgram (Y/N): N
Attachment # : N/A**

RAD Staff Declaration - Attachment # : 4

DECLARATION OF LISA J. STOLARUK

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 California Voter Guide Committee:
 - A) Prior Notice dated September 21, 2000 referencing the 2000 October Quarterly Report;
 - B) *Non-Filer Mailgram* dated November 2, 2000 referencing the 2000 October Quarterly Report;
 - C) Reason-to-Believe Mailgram dated December 7, 2000 referencing the 2000 October Quarterly Report.
3. I hereby certify that I have searched the Commission's *public records* and find that the California Voter Guide Committee filed the 2000 October Quarterly Report with the Commission on November 13, 2000.
4. 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, D.C. on the 4th day of January, 2001.



Lisa J. Stolaruk
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

September 21, 2000

WHO MUST FILE

Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) filing on a quarterly basis must file a Quarterly Report in October.

REPORT	REPORTING PERIOD ¹	REG./CERT.	FILING
		MAILING DATE ²	DATE
October Quarterly	07/01/00 - 09/30/00	10/15/00	10/15/00 ³

24 HOUR REPORT ON INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in connection with an election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the day of the election. This report is not required when a Party Committee or PAC makes a contribution directly to a candidate.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See the January 2000 Record.

LABEL

Committees should affix the peel-off label from the envelope to line 1 of the report. Corrections should be made on the label.

¹These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

²Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

³Note that the filing date is a Sunday. Filing dates are not extended when they fall on nonworking days; however, the FEC and Secretary of the Senate will be open to receive reports on October 15.

(over)

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from quarterly to monthly) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

COMPLIANCE

- Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to enforcement action if reports are inaccurate or are not filed on time.
- Beginning with the July 2000 reports, the Federal Election Commission implemented a **new administrative fine program**. Under this program, political committees that fail to file their reports on time may be subject to administrative penalties ranging from \$125 to \$16,000 (or more for repeat late- and non-filers).
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC- approved, computer-generated forms) will be required to refile their reports.

ELECTRONIC FILING

Political committees have the option of filing their reports electronically. If you are interested in this option, review the enclosed handout entitled "Electronic Filing," and call the Data Division at (800) 424-9530 or (202) 694-1306.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

March 26, 2001

LeeAnn Fitzgerald, Treasurer
California Voter Guide
1658 W. Carson #454
Torrance, CA 90501

AF# 169
C00305706

Dear Ms. Fitzgerald:

On December 5, 2000, the Federal Election Commission ("Commission") found reason to believe ("RTB") that California Voter Guide and you, as treasurer, ("respondents") violated 2 U.S.C. § 434(a) for failing to file the 2000 October Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$1,000 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and 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. Please include the AF # in your response. Your response may not raise any arguments not raised in your 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 Jennifer Boyt, Reviewing Analyst, 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



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 26, 2001

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

AF# 169 - California Voter Guide and LeeAnn Fitzgerald, as Treasurer

On December 5, 2000, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that California Voter Guide and LeeAnn Fitzgerald, as Treasurer ("the respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2000 October Quarterly Report and made a preliminary determination that the civil money penalty was \$1,000.00 based on the schedule of penalties at 11 C.F.R. § 111.43. Respondents were notified by the Reports Analysis Division via mailgram on December 7, 2000 of the Commission's finding and civil money penalty calculated at RTB.

Respondents' Responses

On January 3, 2001, the Commission received the written response ("challenge"). Respondents challenge the amount of the civil money penalty calculated at RTB. Respondents are "not denying this report was late" or "did not know of the reporting deadline," but "feel there were legitimate reasons for the late filing." Before filing this report, the respondents wished to speak to the Reports Analyst, who had sent them a letter concerning prior reports, to avoid repeating the same reporting errors; however, they did not have "time to call [the Reports Analyst] or begin the reports until the end of October." The respondents note that "[w]hile the FEC's requirement is just as important as California's, of the 1100 candidates and measures on our slate card, only 20 were for Federal candidates. Therefore the priority had to be to ensure that the State's FPPC reports were received on time." They indicate that it was not their "intention ... to withhold any information until after the election" or "mislead voters or other candidates" by filing the report late. Lastly, they assert that a civil money penalty "almost 20% of the \$5300 collected" from federal candidates "seems excessive."

Analysis of Challenge

The October Quarterly Report was sent via first class mail November 8, 2000 and received on November 13, 2000. It was filed 29 days late. In a cover letter attached to the report, the Treasurer states that it is "sent in response to your letter dated November 2, 2000 and she "did know that this report was due and that it was late." Much of the information in the letter is similar in substance to that in the challenge.

The Federal Election Campaign Act ("Act") requires that quarterly reports must be filed by the treasurer of a political committee no later than the 15th day after the last day of each calendar quarter in a calendar year in which a regularly scheduled general election is held. 2 U.S.C. § 434(a)(4)(A)(i). Reports sent by certified or registered mail are considered filed on the date of the U.S. post mark; otherwise, reports must be received by the close of business on October 15th to be timely filed. 11 C.F.R. § 104.5(e). The treasurer shall be personally responsible for the timely and complete filing of reports and statements as well as the accuracy of the information they contain. 11 C.F.R. § 104.14(d).

Prior Notice for the October Quarterly Report, which was sent to respondents on September 21, states that the filing date is October 15, 2000. The second footnote of the Prior Notice explains that unless a report is sent via certified or registered mail, the report must be received by the filing date. It further informs them on the second page that treasurers are responsible for the timeliness and accuracy of their reports.

In accordance with the Act, it is the responsibility of the Treasurer to file complete and accurate reports in a timely manner. The respondents indicate that they wanted to clarify reporting issues with the Reports Analyst, having recently received a request on prior reports, before filing the October Quarterly Report. Furthermore, they believed that their priority was to file California's disclosure reports on time, though they acknowledge that the Act's disclosure requirements "are just as important as California's." There is no provision in the Act to adjust or extend a report's filing deadline so that the Treasurer may discuss its contents with Commission staff before filing it or because non-federal disclosure reports may be due at approximately the same time as those required under the Act. Rather, the Treasurer is personally responsible for the timely and complete filing of the report as well as the accuracy of the information contained in it.

Under the administrative fine regulations, the criteria used to calculate the civil money penalty are explained. Three of the criteria are the election sensitivity of the report, the level of activity and whether the report is considered filed late or not filed. 11 C.F.R. § 111.43(d) and (e). The RTB civil money penalty for the October Quarterly Report, an election sensitive report, was calculated based on the total receipts plus total disbursements disclosed on this report which was not filed prior to four (4) days before the general election. Thus, there is no basis for calculating the civil money penalty on the total amount collected from federal candidates for political advertising on slate cards.

With respect to the other issue raised in the challenge (the number of federal candidates vs. non-federal candidates listed on the slate card), it does not fall within the list of defenses outlined in 11 C.F.R. § 111.35(b). Respondents' challenge presented no evidence that a factual error was made, that the civil money penalty was miscalculated at RTB or that extraordinary circumstances existed which prevented them from filing the October Quarterly Report (an election sensitive report) in a timely manner. The Reviewing Officer, therefore, recommends that the Commission make a final

determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,000.00.

OAR Recommendations

- (1) Make a final determination in AF# 169 that California Voter Guide and LeeAnn Fitzgerald, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,000.00; and
- (2) Send the appropriate letter.

Staff Assigned: Jennifer Boyt

Attachments

Attachment 1 - Challenge Received from Respondents

Attachment 2 - Declaration from the Reports Analysis Division

Attachment 3 - C Indices of Reports Filed for the 1999-2000 and 2001-2002 Election
Cycles

Attachment 4 - Declaration from OAR

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	INAGE LOCATION TYPE OF FILER
CALIFORNIA VOTER GUIDE				ID #C00305706	NON-PARTY NON-QUALIFIED	
CONNECTED ORGANIZATION: NONE						
1999	MID-YEAR REPORT	4,573	6,737	1JAN99 -30JUN99	6	99FEC/472/4398
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN99 -30JUN99	4	20FEC/649/1985
	REQUEST FOR ADDITIONAL INFORMATION			1JAN99 -30JUN99	2	20FEC/605/4908
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN99 -30JUN99	3	20FEC/618/0982
	YEAR-END	12,600	-	1JUL99 -31DEC99	5	20FEC/527/0913
2000	MISCELLANEOUS NOTICE FROM FEC			26JUN00	3	20FEC/569/1131
	APRIL QUARTERLY	39,775	48,377	1JAN00 -31MAR00	14	20FEC/559/1912
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN00 -31MAR00	3	20FEC/571/2770
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN00 -31MAR00	2	20FEC/649/2872
	NOTICE OF FAILURE TO FILE			1JAN00 -31MAR00	2	20FEC/558/0647
	REQUEST FOR ADDITIONAL INFORMATION			1JAN00 -31MAR00	6	20FEC/605/4679
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN00 -31MAR00	6	20FEC/618/0985
	JULY QUARTERLY	700	1,200	1APR00 -30JUN00	7	20FEC/580/4490
	JULY QUARTERLY - AMENDMENT	-	-	1APR00 -30JUN00	1	20FEC/649/2871
	REQUEST FOR ADDITIONAL INFORMATION			1APR00 -30JUN00	3	20FEC/605/4910
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR00 -30JUN00	4	20FEC/618/0991
	OCTOBER QUARTERLY	5,300	0	1JUL00 -30SEP00	7	20FEC/648/0061
	NOTICE OF FAILURE TO FILE			1JUL00 -30SEP00	2	20FEC/647/2062
	POST-GENERAL	11,550	22,974	1OCT00 -27NOV00	10	21FEC/674/3613
	NOTICE OF FAILURE TO FILE			1OCT00 -27NOV00	2	21FEC/673/0588
	YEAR-END	-	-	28NOV00 -31DEC00	6	21FEC/678/3762
	TOTAL	74,498	0 79,288	0	98	TOTAL PAGES

2000-03-26 11:00:00

FEDERAL ELECTION COMMISSION
2001-2002
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 3/26/2001

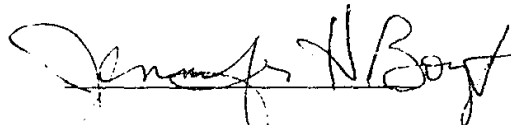
PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	IMAGE LOCATION
					TYPE OF FILER	
CALIFORNIA VOTER GUIDE				ID #C00305706	NON-PARTY NON-QUALIFIED	
CONNECTED ORGANIZATION: NONE						
2001 STATEMENT OF ORGANIZATION - AMENDMENT				8MAR01	5	21FEC/696/1667
TOTAL		0	0	0	0	5 TOTAL PAGES

2001-03-26 14:00:00

DECLARATION OF JENNIFER HENRY BOYT

1. I am the Reviewing Analyst in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Analyst, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2000 October Quarterly Report is due October 15, 2000. Unless sent by certified or registered mail, the report must be received by the close of business on October 15, 2000 to be timely filed.
3. It is the practice of the Commission's Mail Room to date stamp each report as it is received and the Commission's Public Disclosure Division to complete an Envelope Replacement Page disclosing the method used to file the report.
4. I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of the Cover Letter, Summary and Envelope Replacement Pages for the 2000 October Quarterly Report filed via first class mail by California Voter Guide and LeeAnn Fitzgerald, as Treasurer. According to the Commission's records, the report covering the period July 1 through September 30, 2000 was mailed on November 8, 2000 and received on November 13, 2000.
5. 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 23rd of March, 2001.



Jennifer Henry Boyt
Reviewing Analyst
Office of Administrative Review
Federal Election Commission

RECEIVED
REC MAIL ROOM**CALIFORNIA VOTER GUIDE**

1658 W. Carson Street, Suite 454 2000 NOV 13 P 1:54
 Torrance, California 90501
 PH 310-787-6570
 FAX 310-787-6574
 WEB www.calvoterguide.com
 EMAIL slate@flash.net

November 7, 2000

John Gibson
 Federal Election Commission
 999 E Street, N.W.
 Washington, D.C. 20463

Dear Mr. Gibson:

This letter is sent in response to your letter dated November 2, 2000 regarding the late filing of the report for 7/1/00 - 9/30/00. The report due on October 15, 2000 is being sent along with this letter on November 6, 2000. I did know that this report was due and that it was late.

Our office has just completed mailing over 4 million slate cards throughout the State of California and unfortunately, I have not had enough time to get the report finished and sent out. At the end of September, I received several letters from Neil Evans with questions regarding previous reports. I wanted to speak to him regarding these questions prior to filing the October 15th report so I could file the current report in a manner that would be more complete and give enough information. I did speak to Mr. Evans early this month and clarify the problems that are causing the questions so this current report should be complete and easier to understand.

If you need any additional information, please contact me at 310/787-6569.

Thank You.

Sincerely,

LeeAnn Fitzgerald
 LeeAnn Fitzgerald



CALIFORNIA VOTER GUIDE

1658 W. Carson Street, Suite 454

Torrance, California 90501

PH 310-787-6570

FAX 310-787-6574

WEB www.calvoterguide.comEMAIL slate@flash.net

November 6, 2000

Federal Election Commission
Washington, D.C. 20463

To Whom It May Concern:

This letter is included as an explanation to the report filed for the period 7/1/00 - 9/30/00.

California Voter Guide is a slate mailer organization that contracts with candidates to produce and mail political advertising. When reporting these contributions, they are listed as political party contributions on Schedule A as well as the Summary page. Then a percentage of the cost for production and mailing is reported as an offset to operating expenses on line 15 of the Summary page.

For this reporting period, 80% of the payments received from candidates were listed as an offset to our operating expenses. This percentage takes into account the cost of processing, producing, and mailing the final slate card.

Additionally, during this reporting period, there were no expenses for office overhead. Almost all of the candidates who appear on our slate mailer are state and local candidates and the expenses associated with the maintenance of the office, including personnel and phone service is reported with California's Fair Political Practices Commission. The expenses associated with the small number of Federal candidates are directly related to the mailing and printing of the slate card and will be reported on the next report once the card has been mailed.

LeeAnn Fitzgerald
LeeAnn Fitzgerald, Treasurer

2000-09-28 10:00:00

REPORT OF RECEIPTS AND DISBURSEMENTSFor Other Than An Authorized Committee
(Summary Page)RECEIVED
FEC MAIL ROOM

2000 NOV 13 P 1:54

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full)		2. FEC IDENTIFICATION NUMBER
C00303706	091900 P 234	
LEE ANN FITZGERALD		
CALIFORNIA VOTER GUIDE		
1638 W CARSON #454	CA 90501	
TORRANCE		
3. <input type="checkbox"/> This committee has qualified as a multicandidate committee. (see FEC FORM 1M)		

4. TYPE OF REPORT(a) ☐ April 15 Quarterly Report☐ July 15 Quarterly Report☒ October 15 Quarterly Report☐ January 31 Year End Report☐ July 31 Mid Year Report (Non-election Year Only)☐ Termination Report

Monthly Report Due On:

<input type="checkbox"/> February 20	<input type="checkbox"/> June 20	<input type="checkbox"/> October 20
<input type="checkbox"/> March 20	<input type="checkbox"/> July 20	<input type="checkbox"/> November 20
<input type="checkbox"/> April 20	<input type="checkbox"/> August 20	<input type="checkbox"/> December 20
<input type="checkbox"/> May 20	<input type="checkbox"/> September 20	<input type="checkbox"/> January 31

☐ 12-Day Pre-Election Report for the _____
(Type of Election)

election on _____ in the State of _____

☐ 30-Day Post-Election Report following the General Election

on _____ in the State of _____

(b) Is this Report an Amendment?

☐ YES☒ NO**SUMMARY**

5. Covering Period	COLUMN A This Period	COLUMN B Calendar Year-to-Date
7/1/00 through 9/3/00		
6. (a) Cash on Hand January 1, 19__		\$86,966.22
(b) Cash on Hand at Beginning of Reporting Period	\$77,863.80	
(c) Total Receipts (from Line 19)	\$3,300.00	\$45,775.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$83,163.80	\$132,741.22
7. Total Disbursements (from Line 30)	\$0	\$49,577.42
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$83,163.80	\$83,163.80
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$0	

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

LeeAnn Fitzgerald

Signature of Treasurer

LeeAnn Fitzgerald

Date

11/6/00

For further information contact:
Federal Election Commission
999 E Street, NW
Washington, DC 20463
Toll Free 800-424-9530
Local 202-694-1100

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

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FEC FORM 3X

(revised 9/93)

Federal Election Commission

ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS

The Commission has added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input checked="" type="checkbox"/> First Class Mail	POSTMARKED 11/8/00
<input type="checkbox"/> Registered/Certified Mail	POSTMARKED (R/C)
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> Received from the House office of Records and Registration.	Date of Receipt
<input type="checkbox"/> Received from the Senate Office of Public Records	Date of Receipt
<input type="checkbox"/> Other (Specify):	Postmarked and/or Date of Receipt
<input type="checkbox"/> Electronic Filing	
 PREPARER	11/12/00 DATE PREPARED

(6/2000)

20036480067



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
WASHINGTON, D.C.

2001 APR 10 A 9:42

April 9, 2001

MEMORANDUM

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON *[Signature]*
STAFF DIRECTOR

ALISON L. DOONE *[Signature]*
DEPUTY STAFF DIRECTOR

FROM: SHAWN WOODHEAD WERTH *[Signature]*
REVIEWING OFFICER
OFFICE OF ADMINISTRATIVE REVIEW

SUBJECT: FINAL DETERMINATION RECOMMENDATION IN AF# 169 -
CALIFORNIA VOTER GUIDE AND LEEANN FITZGERALD,
AS TREASURER

SENSITIVE

On December 5, 2000, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that California Voter Guide and LeeAnn Fitzgerald, as Treasurer ("the respondents") violated 2 U.S.C. § 434(a) for failing to file the 2000 October Quarterly Report. The report was filed on November 13, 2000, 29 days late. As a result, on December 5, 2000, the Commission also made a preliminary determination that the civil money penalty was \$1,000.00 based on the schedule of penalties at 11 C.F.R. § 111.43.

On January 3, 2001, the Commission received the respondents' written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated March 26, 2001 was forwarded to the Commission. A copy was simultaneously forwarded to the respondents. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,000.00 because respondents submitted no evidence that a factual error was made, that the civil money penalty was miscalculated at RTB or that extraordinary circumstances existed which prevented them from filing the October Quarterly Report in a timely manner.

Instead of filing a written response with the Commission Secretary within 10 days of transmittal of the recommendation in accordance with 11 C.F.R. § 111.36(f), the respondents paid the \$1,000 civil money penalty recommended by the Reviewing Officer.

OAR Recommendations

- (1) Make a final determination in AF# 169 that California Voter Guide and LeeAnn Fitzgerald, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,000.00; and
- (2) Send the appropriate letter.



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Wirth
SENSITIVE

DATE & TIME OF TRANSMITTAL: Tuesday April 10, 2001 11:00

BALLOT DEADLINE: Friday, April 13, 2001 4:00

COMMISSIONER: MASON, McDONALD, SANDSTROM, SMITH, THOMAS, WOLD

SUBJECT: **Final Determination Recommendation In AF #169
California Voter Guide And LeeAnn Fitzgerald, as
Treasurer**

- () I approve the recommendation(s)
- () I object to the recommendation(s)
- () I abstain from voting on the recommendation(s)
- () I am recused from voting on the recommendation(s)

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

21.09.250.2095

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
California Voter Guide And LeeAnn) AF #169
Fitzgerald, as treasurer -)
Final Determination Recommendation.)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal
Election Commission, do hereby certify that on
April 13, 2001 the Commission decided by a vote
of 6-0 to take the following actions in the above-
captioned matter:

1. Make a final determination in AF #169 that
California Voter Guide and LeeAnn Fitzgerald,
as Treasurer, violated 2 U.S.C. § 434(a) and
assess a civil money penalty of \$1,000.00.
2. Send the appropriate letter, as recommended
in the Office of Administrative Review's
Memorandum dated April 9, 2001.

Commissioners Mason, McDonald, Sandstrom, Smith,
Thomas, and Wold voted affirmatively for the decision.

Attest:

April 13, 2001
Date

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

Received in the Secretariat: Tues., Apr. 10, 2001 9:42 a.m.
Circulated to the Commission: Tues., Apr. 10, 2001 11:00 a.m.
Deadline for vote: Fri., Apr. 13, 2001 4:00 p.m.

lrd

9602 052 60 12
21 09 250 2096

**WESTERN
UNION**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: LEEANN FITZGERALD, TREASURER
CALIFORNIA VOTER GUIDE
1658 W CARSON ST # 454
TORRANCE CA 90501-3845

JENNIFER BOYT/OAR, REVIEW
FEDERAL ELECTION COMMISSION
999 E ST NW
WASHINGTON DC 20463

FEDERAL ELECTION COMMISSION
999 E STREET, NW
WASHINGTON, DC 20463
APRIL 17, 2001

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

LEEANN FITZGERALD, TREASURER
CALIFORNIA VOTER GUIDE
1658 W. CARSON #454
TORRANCE, CA 90501

ID# C00305706
AF# 169

DEAR MS. FITZGERALD:

ON DECEMBER 5, 2000, THE FEDERAL ELECTION COMMISSION ("THE COMMISSION") FOUND REASON TO BELIEVE ("RTB") THAT CALIFORNIA VOTER GUIDE AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO FILE THE 2000 OCTOBER QUARTERLY REPORT. BY LETTER DATED DECEMBER 7, 2000, THE COMMISSION SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT RTB OF \$1,000.00 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43.

ON JANUARY 3, 2001, THE OFFICE OF ADMINISTRATIVE REVIEW RECEIVED YOUR WRITTEN RESPONSE ("CHALLENGE"). THE REVIEWING OFFICER REVIEWED THE COMMISSION'S RTB FINDING AND SUPPORTING DOCUMENTATION AND YOUR CHALLENGE AND RECOMMENDED IN A REPORT DATED MARCH 26, 2001, THAT THE COMMISSION MAKE A FINAL DETERMINATION THAT CALIFORNIA VOTER GUIDE AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) AND ASSESS A CIVIL MONEY PENALTY OF \$1,000.00.

ON APRIL 9, THE COMMISSION RECEIVED PAYMENT OF YOUR CIVIL MONEY PENALTY RECOMMENDED BY THE REVIEWING OFFICER. THEREFORE, THE COMMISSION ADOPTED THE REVIEWING OFFICER'S RECOMMENDATION AND MADE A FINAL DETERMINATION ON APRIL 13, 2001 THAT CALIFORNIA VOTER GUIDE AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A), AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$1,000.00 IN ACCORDANCE WITH 11 C.F.R. 111.43.

THE CONFIDENTIALITY PROVISIONS AT 2 U.S.C. 437G(A)(12) NO

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

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 COMPLETE FILE MUST BE PLACED ON THE PUBLIC RECORD WITHIN THIRTY (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 THIS MATTER, PLEASE CONTACT JENNIFER H. BOYT ON OUR TOLL FREE NUMBER (800)424-9530 (PRESS 0, THEN EXT. 1660) OR (202)694-1660.

SINCERELY,

DANNY L. MCDONALD
CHAIRMAN

21.09.250.2000

REF ID: A6000100000 BH# 1 04-12-01 60 9

0301

ה'תשנ"ח

19A14

4-2-61

General Election Commission
On Thursday and 09/10

1 \$ 100.00

COLLINS, WALTER.



**BOULDER
WAY
WAY.**

(MIAMI: 81 MAIN OFFICE)
 (2) 601 (A VS) (A BL V)
 (3) 601 (A VS) (A BL V)

FOR *penalty*

~~DRAMES~~ BANK-OBTAIN MAKER SIGNATURE

#00030 L# 0622238718: 001-157248

0000000000

FIRST STAR 1942-1943

THIS IS THE END OF ADMINSTRATIVE FINE CASE

169

DATE FILMED 4/30/01 CAMERA NO. 4

CAMERAMAN ESS

2001-04-30 14:00:00