



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1757

DATE SCANNED 11-29-07

SCANNER NO. 2

SCAN OPERATOR Ins

27092614173



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SECRET

2007 JUL -6 P 4: 57

July 6, 2007

SENSITIVE

MEMORANDUM

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *PC*
STAFF DIRECTOR *pmc*

FROM: JOHN D. GIBSON *JG*
ACTING CHIEF COMPLIANCE OFFICER

CRAIG CROOKS *CC*
ACTING ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: PATRICIA CARMONA / RHIANNON RYAN *PC* *RR*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2007 APRIL
QUARTERLY REPORT FOR THE ADMINISTRATIVE FINE
PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2007 April Quarterly Report in accordance with 2 U.S.C. 434(a). The April Quarterly Report was due on April 15, 2007.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days after the due date, or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that all other political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission
Reason to Believe Circulation Report
2007 APRIL QUARTERLY Not Election Sensitive 04/15/2007 H_S_P

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1740	C00411652	BOB MCEWEN FOR CONGRESS COMMITTEE	MCEWEN, BOB	LIZ MCEWEN ✓	\$208,428	0		Not Filed	\$208,428 (est)	\$6,500
1742	C00416438	COMMITTEE TO ELECT OZ BENGUR	BENGUR, O. R. OZ	JOANNE M. RUBIN	\$171,072	0		Not Filed	\$171,072 (est)	\$5
1744	C00424978	DONZELLA JAMES FOR US CONGRESS CAMPAIGN 2006	JAMES, DONZELLA	ELMO JAMES	\$117,024	1		Not Filed	\$117,024 (est)	\$5,625
1745	C00428193	FRANK ENRIQUEZ FOR CONGRESS	ENRIQUEZ, FRANK	PRESTON E. HENRICHSON	\$203,635	0		Not Filed	\$203,635 (est)	\$6,500
1746	C00423210	FRIENDS TO ELECT VANCE W CHEEK JR	CHEEK, VANCE W. JR	FRANK LITTLE	\$210,081	1		Not Filed	\$210,081 (est)	\$8,125
1751	C00395822	SCHWARZ FOR CONGRESS	SCHWARZ, JOHN	ROBERT HANS SCHULER	\$329,678	0		Not Filed	\$329,678 (est)	\$8,000
1752	C00419820	SKINNER FOR CONGRESS 06	SKINNER, NANCY ANN	CHUCK SKINNER	\$118,016	0		Not Filed	\$118,016 (est)	\$4,500

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7/6/2007 10:01 AM

AF# Committee ID Committee Name Candidate Name Treasurer Threshold PV Receipt Date Days Late LOA RTB Penalty

1755	C00415034	VAS FOR CONGRESS	VAS, JOSEPH	MELVIN RAMOS	\$260,408	0	Not Filed	\$260,408 (est)	\$8,000
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation 2007)
April Quarterly Report for the)
Administrative Fine Program:)
MCEWEN, BOB, and MCEWEN, LIZ as) AF# 1740
treasurer;)

BENGUR, O R OZ, and JOANNE M) AF# 1742
RUBIN as treasurer;)

JAMES, DONZELLA, and ELMO JAMES) AF# 1744
as treasurer;)
ENRIQUEZ, FRANK, and PRESTON E) AF# 1745
HENRICHSON as treasurer;)
CHEEK, VANCE W JR, and FRANK) AF# 1746
LITTLE as treasurer;)

SCHWARZ, JOHN, and ROBERT HANS) AF# 1751
SCHULER as treasurer;)

VAS, JOSEPH, and RAMOS, MELVIN as) AF# 1755
treasurer;)

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on July 12, 2007 the Commission took the following actions on the Reason To Believe Recommendation 2007 April Quarterly Report for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated July 06, 2007, on the following committees:

AF#1740 Decided by a vote of 5-0 to: (1) find reason to believe that MCEWEN, BOB, and MCEWEN, LIZ 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, Walther, and Weintraub voted affirmatively for the decision.

AF#1742 Decided by a vote of 5-0 to: (1) find reason to believe that BENGUR, O R OZ, and JOANNE M RUBIN 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, Walther, and Weintraub voted affirmatively for the decision.

AF#1744 Decided by a vote of 5-0 to: (1) find reason to believe that JAMES, DONZELLA, and ELMO JAMES 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, Walther, and Weintraub voted affirmatively for the decision.

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AF#1745 Decided by a vote of 5-0 to: (1) find reason to believe that ENRIQUEZ, FRANK, and PRESTON E HENRICHSON 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, Walther, and Weintraub voted affirmatively for the decision.

AF#1746 Decided by a vote of 5-0 to: (1) find reason to believe that CHEEK, VANCE W JR, and FRANK LITTLE 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, Walther, and Weintraub voted affirmatively for the decision.

AF#1751 Decided by a vote of 5-0 to: (1) find reason to believe that SCHWARZ, JOHN, and ROBERT HANS SCHULER 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, Walther, and Weintraub voted affirmatively for the decision.

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Federal Election Commission
Certification for Administrative Fines
July 12, 2007

Page 4

the report; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1755 Decided by a vote of 5-0 to: (1) find reason to believe that VAS, JOSEPH, and RAMOS, MELVIN 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, Walther, and Weintraub voted affirmatively for the decision.

Attest:

July 13, 2007
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 16, 2007

Robert Hans Schuler
Schwarz for Congress
Post Office Box 2063
Battle Creek, MI 49016

C00395822
AF#: 1751

Dear Robert Hans Schuler:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through March 31st, shall be filed no later than April 15th. 2 U.S.C. 434(a). 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 this 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 7/12/2007, the FEC found that there is reason to believe ("RTB") that Schwarz for Congress and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before April 15th. Based on the FEC's schedules of civil money penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at the RTB stage is \$8,000. It is due by 8/21/2007 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$329,678
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 8/21/2007. 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 from filing the report in a timely manner. Your response must include the

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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 Schwarz for Congress and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

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

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

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

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 \$8,000 for the 2007 April 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 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 8/21/2007. 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: Schwarz for Congress

FEC ID#: C00395822

AF#: 1751

PAYMENT DUE DATE: 8/21/2007

PAYMENT AMOUNT DUE: \$8,000

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 SEP -4 P 3: 29
August 31, 2007

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *JMC*
STAFF DIRECTOR

FROM: JOHN D. GIBSON *JDG for JDC*
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*
ACTING ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *RR* RHIANNON RYAN / CHIRSTOPHER RITCHIE *CR*
COMPLIANCE BRANCH

SUBJECT: ADMINISTRATIVE FINE PROGRAM - FINAL
DETERMINATION RECOMMENDATION FOR THE 2007
APRIL QUARTERLY REPORT

Attached is a list of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2007 April Quarterly Report. All of the committees on the list have not paid the civil money penalty and have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

For your information, all thirteen (13) committees filed the 2007 April Quarterly Report after the RTB finding and twelve (12) disclosed a level of activity which would result in a lowered civil money penalty.¹ An overview of each of the twelve (12) adjusted fines has been provided for your review.

¹ Committee to Elect Oz-Bengur (AF 1742) submitted the report to RAD via facsimile. This document will be processed as a Miscellaneous Document.

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Committee to Elect Oz Bengur (AF 1742) faxed the 2007 April Quarterly Report to RAD after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$3,115 (previously estimated to be \$171,072), thus the fine would be lowered from \$5,500 to \$250.

Donzella James for US Congress Campaign 2006 (AF 1744) filed the 2007 April Quarterly Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$0 (previously estimated to be \$117,024), thus the fine would be lowered from \$5,625 to \$0.

Frank Enriquez for Congress (AF 1745) filed the 2007 April Quarterly Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$1,181 (previously estimated to be \$203,635), thus the fine would be lowered from \$6,500 to \$250.

Friends to Elect Vance W. Cheek Jr. (AF 1746) filed the 2007 April Quarterly Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$0 (previously estimated to be \$210,081), thus the fine would be lowered from \$8,125 to \$0.

Schwarz for Congress (AF 1751) filed the 2007 April Quarterly Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$93,420 (previously estimated to be \$329,678), thus the fine would be lowered from \$8,000 to \$3,500.

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Skinner for Congress 06 (AF 1752) filed the 2007 April Quarterly Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$14,953 (previously estimated to be \$118,016), thus the fine would be lowered from \$4,500 to \$500.

Vas for Congress (AF 1755) filed the 2007 April Quarterly Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$4,100 (previously estimated to be \$260,408), thus the fine would be lowered from \$8,000 to \$250.

In accordance with 11 CFR 111.40, the Commission shall send a final determination notice to those respondents that have not paid the civil money penalty.

RAD Recommendation

- (1) Make final determination that the political committees and their treasurers on the attached reports violated 2 U.S.C. 434(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

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Federal Election Commission
FD Circulation Report Fine Not Paid
2007 APRIL QUARTERLY Not Election Sensitive 04/15/2007 H_S_P

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since	FD Penalty
										RTB		

1742	COMMITTEE TO ELECT OZ BENGUR	BENGUR, O. R. OZ	C00416438	JOANNE M. RUBIN		Not Filed	\$3,115	0	07/12/2007	\$5,500	50	\$250
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1744	DONZELLA JAMES FOR US CONGRESS CAMPAIGN 2006	JAMES, DONZELLA	C00424978	ELMO JAMES	08/29/2007	Not Filed	\$0	1	07/12/2007	\$5,625	50	\$0
1745	FRANK ENRIQUEZ FOR CONGRESS	ENRIQUEZ, FRANK	C00428193	PRESTON E. HENRICHSON	08/28/2007	Not Filed	-\$1,181	0	07/12/2007	\$6,500	50	\$250
1746	FRIENDS TO ELECT VANCE W. CHEEK JR.	CHEEK, VANCE W. JR.	C00423210	FRANK LITTLE	08/28/2007	Not Filed	\$0	1	07/12/2007	\$8,125	50	\$0

1751	SCHWARZ FOR CONGRESS	SCHWARZ, JOHN	C00395822	ROBERT HANS SCHULER	08/29/2007	Not Filed	\$93,420	0	07/12/2007	\$8,000	50	\$3,500
1752	SKINNER FOR CONGRESS 06	SKINNER, NANCY ANN	C00419820	CHUCK SKINNER	08/01/2007	Not Filed	\$14,953	0	07/12/2007	\$4,500	50	\$500

1755	VAS FOR CONGRESS	VAS, JOSEPH	C00415034	RAMOS, MELVIN	08/15/2007	Not Filed	-\$4,100	0	07/12/2007	\$8,000	50	\$250
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program - Final)
Determination Recommendation for the)
2007 April Quarterly Report:)

COMMITTEE TO ELECT OZ BENGUR,) AF# 1742
and JOANNE M RUBIN as treasurer;)

DONZELLA JAMES FOR US) AF# 1744
CONGRESS CAMPAIGN 2006, and)
ELMO JAMES as treasurer;)
FRANK ENRIQUEZ FOR CONGRESS,) AF# 1745
and PRESTON E HENRICHSON as)
treasurer;)
FRIENDS TO ELECT VANCE W CHEEK) AF# 1746
JR, and FRANK LITTLE as treasurer;)

SCHWARZ FOR CONGRESS, and) AF# 1751
ROBERT HANS SCHULER as treasurer;)
SKINNER FOR CONGRESS 06, and) AF# 1752
CHUCK SKINNER as treasurer;)

VAS FOR CONGRESS, and RAMOS,) AF# 1755
MELVIN as treasurer;)

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on September 07, 2007 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2007 April Quarterly Report, as recommended in the Reports Analysis Division's Memorandum dated August 31, 2007, on the following committees:

AF#1742 Decided by a vote of 5-0 to: (1) make a final determination that COMMITTEE TO ELECT OZ BENGUR, and JOANNE M RUBIN as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1744 Decided by a vote of 5-0 to: (1) make a final determination that DONZELLA JAMES FOR US CONGRESS CAMPAIGN 2006, and ELMO JAMES as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1745 Decided by a vote of 5-0 to: (1) make a final determination that FRANK ENRIQUEZ FOR CONGRESS, and PRESTON E HENRICHSON as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

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AF#1746 Decided by a vote of 5-0 to: (1) make a final determination that FRIENDS TO ELECT VANCE W CHEEK JR, and FRANK LITTLE as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1751 Decided by a vote of 5-0 to: (1) make a final determination that SCHWARZ FOR CONGRESS, and ROBERT HANS SCHULER as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1752 Decided by a vote of 5-0 to: (1) make a final determination that SKINNER FOR CONGRESS 06, and CHUCK SKINNER as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

AF#1755 Decided by a vote of 5-0 to: (1) make a final determination that VAS FOR CONGRESS, and RAMOS, MELVIN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

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Federal Election Commission
Certification for Administrative Fines
September 07, 2007

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Attest:

September 10, 2007
Date

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

27092614191



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 10, 2007

Robert Hans Schuler, Treasurer
Schwarz for Congress
Post Office Box 2063
Battle Creek, MI 49016

C00395822
AF# 1751

Dear Robert Hans Schuler,

On 7/12/2007, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Schwarz for Congress and you, as treasurer, violated 2 U.S.C. 434(a) for failing to file the 2007 April Quarterly Report. By letter dated 7/16/2007, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$8,000 in accordance with the schedule of penalties at 11 C.F.R. 111.43. Within 40 days of the Commission's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty. The amount of the civil money penalty has been changed to reflect the actual level of activity of your 2007 April Quarterly Report.

The Commission did not receive payment of the calculated civil money penalty or your written response within the time permitted. The Commission made a final determination on 9/7/2007 that you, as treasurer, and Schwarz for Congress violated 2 U.S.C. 434(a) and assessed a civil money penalty in the amount of \$3,500 in accordance with 11 C.F.R. 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$93,420
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

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

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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.

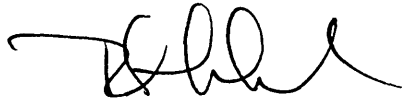
If You Choose to Appeal the Final Determination or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondent's right to present such argument in a petition to the district court under 2 U.S.C. 437g. 11 C.F.R. 111.38.

The confidentiality provisions at 2 U.S.C. 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Ryan at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

Sincerely,



Robert D. Lenhard
Chairman

27092614193

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the civil money penalty is \$3,500 for the 2007 April Quarterly 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 originally 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 originally 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 Schwarz for Congress

FEC ID# C00395822

AF# 1751

PAYMENT AMOUNT DUE \$3,500

27092614194

FOR Schwarz for Congress

FEC ID# C00395822

AF# 1751

PAYMENT AMOUNT DUE \$3,500

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000350000 BA# 1 10-25-07 20 9



usbancorp.
The New Member Connection

SCHWARZ FOR CONGRESS		2101
DATE: October 19, 2007		74-1945-724
PAY TO THE ORDER OF	FEDERAL ELECTION COMMISSION	\$3500.00
Three thousand five hundred and no/100		DOLLARS
FOR	AF # 1751	Matt Schwarz



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1757

DATE SCANNED 11-29-07

SCANNER NO. 2

SCAN OPERATOR Jms

27092614196