

THIS IS THE BEGINNING OF ADMINSTRATIVE FINE CASE

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21.09.00 13

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES
CONFIRMATION OF MAILGRAM TO: JUDY R ENSLEN
PEOPLE FOR ROYAL HART
PO BOX 1265
ALQUIPPA PA 15001-6265

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

AUGUST 3, 2000

IDENTIFICATION NUMBER: C00349944

REFERENCE: JULY QUARTERLY REPORT (04/01/2000 -06/30/2000)

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 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 FOR SENATE CANDIDATES. A COPY OF THIS REPORT 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.

THE FAILURE TO FILE THIS REPORT MAY RESULT IN AN AUDIT OR LEGAL ENFORCEMENT ACTION.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT ROBIN KELLY IN THE REPORTS ANALYSIS DIVISION 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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 18, 2000

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2000 AUG 18 A 11:35

SENSITIVE

MEMORANDUM

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 JULY
QUARTERLY REPORT FOR THE ADMINISTRATIVE
FINES PROGRAM

Attached is a list of political committees and their treasurers who failed to file or timely file the 2000 July Quarterly Report in accordance with 2 U.S.C. 434(a). On June 21, 2000, Prior Notice was sent to all political committees and their treasurers, informing them that the 2000 July Quarterly Report was due on July 15, 2000. The report should cover from April 1, 2000 (or the closing date of the last report filed or, if the committee is newly registered, all activity that occurred before registration) through June 30, 2000.

The committees listed in the attached RTB Circulation Report 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). 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 report provided.

The RTB Circulation Report includes three principal campaign committees that submitted timely 2000 Mid-Year Reports in lieu of the required 2000 July Quarterly Reports. Each of the candidates has publicly announced their retirement

521 052 60 13

from the U.S. Senate effective at the end of their current term. These committees are:

Kerrey for U.S. Senate Campaign Committee
Moynihan Committee Inc.
Lautenberg 2000 Committee

Election year quarterly reports were required from the committees because the committees raised over \$5,000 in contributions for the current election cycle and had declared themselves candidates before announcing their withdrawal from their races.

None of the committees filed a 2000 April Quarterly Report. Prior to the implementation of the Administrative Fines program, RAD only sent non-filer mailgrams to committees where the candidate had met candidate status and the candidate was listed on the state's ballot list. If the ballot list was not yet available, RAD used candidate status to determine whether a mailgram for failure to file a quarterly report was necessary. Since the New York and New Jersey ballot lists were not available at the time mailgrams were sent for the 2000 April Quarterly Report, both the Moynihan Committee, Inc. and the Lautenberg 2000 Committee received mailgrams for failing to file this report. The Kerrey for U.S. Senate Campaign Committee was not sent a mailgram for failure to file the 2000 April Quarterly Report because the Commission had received Nebraska's ballot list prior to sending the mailgrams and the Senator was not on the ballot. All three committees were sent mailgrams for the 2000 July Quarterly Report.

Additionally, the Commission has learned that the Senate Public Records Office was of the opinion that committees of retiring Senators did not have to file quarterly reports in an election year and may have informed Senators and their committees that they did not have to file quarterly reports.

There are three House principal campaign committees listed in the RTB Circulation Report that also submitted timely 2000 Mid-Year Reports in lieu of the 2000 July Quarterly Reports and were not on the ballot for their respective races. Therefore, the circumstances surrounding these committees are similar to those explained above regarding Senators Kerrey, Moynihan and Lautenberg. These committees are:

Corry for Congress
Ralph Neas for Congress 2000
Jon Amores for Congress

Recommendation

- (1) Find reason to believe that the political committees and their treasurers (except for those identified in recommendation 3) 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.
- (3) Find no reason to believe that the following political committees and their treasurers violated 2 U.S.C. 434(a) and take no further action:

Kerrey for U.S. Senate Campaign Committee and Pam Bataillon, Treasurer
Moynihan Committee Inc. and John Westergaard, Treasurer
Lautenberg 2000 Committee and A.H. Nechemie, Treasurer
Corry for Congress and David Krajanowski, Treasurer
Ralph Neas for Congress 2000 and Thomas H. Moore, Treasurer
Jon Amores for Congress and Stephen M. Woomer, Treasurer
Franks for Congress and Martin Barber, Treasurer

Staff Assigned: Mary Vance
Leah Palmer
Basil Tsimpris

21.09.250.1238

DATE 08/18/2000
PAGE: 2

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

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	LEVEL OF ACTIVITY	STATE	THRESHOLD AMOUNT	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
✓ JAF0012	MILES FOR SENATE	C00332445	BARBARA STEINBERG LTD	07/21/2000	\$254,108	MN	\$739,023	MILES, STEVEN HAVERSTOCK	0		\$2,700
✓ JAF0016	JOHN FEE FOR CONGRESS	C00355768	JOHN H CROSTA	07/22/2000	\$126,761	NY	\$230,969	FEE, JOHN	0		\$1,475
✓ JAF0018	RICHARD CORDRAY FOR US SENATE COMMITTEE	C00347823	EDWIN L KIRBY JR	08/09/2000	\$1,635	OH	\$362,931	CORDRAY, RICHARD	0		\$725
✓ JAF0020	PEOPLE FOR ROYAL HART	C00349944	JUDY R ENSLEN	08/09/2000	\$2,847	PA	\$151,678	HART, ROYAL DEAN	0		\$725



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Helison
SENSITIVE

DATE & TIME OF TRANSMITTAL: Friday, August 18, 2000 2:00

BALLOT DEADLINE: Wednesday, August 23, 2000 4:00

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

SUBJECT: Reason to Believe Recommendation for the 2000 July
Quarterly Report - Administrative Fine 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)
)
 ROD MARTIN FOR CONGRESS INC, and LEAH) AF# 1
 MARTIN as treasurer;)
 MIKE ROSS FOR CONGRESS COMMITTEE, and) AF# 2
 W HERMAN BROWN as treasurer;)
 RICHARD POMBO FOR CONGRESS, and) AF# 3
 RANDALL POMBO as treasurer;)
 MARY BONO COMMITTEE, and DANA W REED) AF# 5
 as treasurer;)
 COMMITTEE TO RE-ELECT CONGRESSMAN DANA) AF# 6
 ROHRABACHER, and DANA W REED as)
 treasurer;)
 TROTTER 2000 FOR CONGRESS, and EDWARD) AF# 7
 L WIMP as treasurer;)
)
 MIKE SERABIAN FOR CONGRESS, and) AF# 9
 MICHAEL J SERABIAN SR as treasurer;)
)
 MILES FOR SENATE, and BARBARA) AF# 12
 STEINBERG LTD as treasurer;)
)
 JOHN FEE FOR CONGRESS, and JOHN H) AF# 16
 CROSTA as treasurer;)
 RICHARD CORDRAY FOR US SENATE) AF# 18
 COMMITTEE, and EDWIN L KIRBY JR as)
 treasurer;)
)
 PEOPLE FOR ROYAL HART, and JUDY R) AF# 20
 ENSLEN as treasurer;)
 JOHN COFFEY FOR CONGRESS, and JOHN) AF# 21
 COFFEY as treasurer;)
 NOBLE WILLINGHAM FOR CONGRESS, and) AF# 22
 DAWN MARIE THEURE as treasurer;)

0427.052.60.12

CERTIFICATION

I, Mary W. Dove, Acting Secretary of the Federal Election Commission, do hereby certify that on August 23, 2000 the Commission took the following actions on the Reason to Believe Recommendations for the 2000 JULY QUARTERLY Report in the Administrative Fine Program, as recommended in the Reports Analysis Division's memorandum dated August 18, 2000, on the following committees:

AF# 1: Decided by a vote of 6-0 to: (1) find reason to believe that ROD MARTIN FOR CONGRESS INC and LEAH MARTIN, 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, Thomas, and Wold voted affirmatively for the decision.

AF# 2: Decided by a vote of 6-0 to: (1) find reason to believe that MIKE ROSS FOR CONGRESS COMMITTEE and W HERMAN BROWN, 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,

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Federal Election Commission
Certification for Administrative Fines
August 23, 2000

Page 9

AF# 20: Decided by a vote of 6-0 to: (1) find reason to believe that PEOPLE FOR ROYAL HART and JUDY R ENSLEN, 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, Thomas, and Wold voted affirmatively for the decision.

AF# 21: Decided by a vote of 6-0 to: (1) find reason to believe that JOHN COFFEY FOR CONGRESS and JOHN COFFEY, 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, Thomas, and Wold voted affirmatively for the decision.

AF# 22: Decided by a vote of 6-0 to: (1) find reason to believe that NOBLE WILLINGHAM FOR CONGRESS and DAWN MARIE THEURE, 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, Thomas, and Wold voted affirmatively for the

21.09.250.1242

Federal Election Commission
Certification for Administrative Fines
August 23, 2000

Page 18

Attest:

August 25, 2000
Date

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

Received in the Secretariat: Fri., August 18, 2000 11:35 a.m.
Circulated to the Commission: Fri., August 18, 2000 2:00 p.m.
Deadline for vote: Wed., August 23, 2000 4:00 p.m.

21.09.250.1243

**WESTERN
UNION**

CONFIRMATION OF MAILGRAM

TO: JUDY R ENSLEN

PEOPLE FOR ROYAL HART

PO BOX 1265

ALIQUIPPA PA 15001-6265

WESTERN UNION COMMERCIAL SERVICES

FEDERAL ELECTION COMMISSION
JOHN MUCKLE
999 E ST. NW.
WASHINGTON DC 20463

1

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

AUGUST 28, 2000

JUDY R ENSLEN
PEOPLE FOR ROYAL HART
PO BOX 1265
ALIQUIPPA PA 15001

C00349944
AF# 20

DEAR JUDY R ENSLEN:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE A JULY QUARTERLY REPORT OF RECEIPTS AND DISBURSEMENTS IN A CALENDAR YEAR DURING WHICH THERE IS A REGULARLY SCHEDULED ELECTION FOR WHICH THE CANDIDATE IS SEEKING ELECTION, OR NOMINATION FOR ELECTION. THIS REPORT, COVERING THE PERIOD THROUGH JUNE 30TH, SHALL BE FILED NO LATER THAN JULY 15TH. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT. RECORDS AT THE COMMISSION INDICATE THAT THIS REPORT WAS FILED ON 08/09/2000, 25 DAYS LATE.

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 08/23/2000, THE COMMISSION FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT PEOPLE FOR ROYAL HART AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE JULY 15TH. BASED ON THE COMMISSION'S SCHEDULES OF CIVIL MONEY PENALTIES AT 11 CFR 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$725.00.

IT IS DUE BY 10/02/2000 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE
LEVEL OF ACTIVITY: \$2847

**WESTERN
UNION****WESTERN UNION COMMERCIAL SERVICES**

NUMBER OF DAYS LATE: 25

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 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 10/02/2000. 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 PEOPLE FOR ROYAL HART 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 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 MADE PUBLIC.

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

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. VANCE 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

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 CFR 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$725.00 FOR THE 2000 JULY QUARTERLY REPORT.

PLEASE MAIL THIS REMITTANCE WITH A CHECK OR MONEY ORDER MADE PAYABLE TO THE FEDERAL ELECTION COMMISSION TO THE FOLLOWING ADDRESS:
FEDERAL ELECTION COMMISSION
P. O. BOX 952182

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 10/02/2000 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: PEOPLE FOR ROYAL HART

FEC ID#: C00349944

AF#: 20

PAYMENT DUE DATE: 10/02/2000

PAYMENT AMOUNT DUE: \$725.00

**WESTERN
UNION**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: JUDY R ENSLEN
PEOPLE FOR ROYAL HART
PO BOX 1265
ALIQUIPPA PA 15001-6265

Attachment # 3

FEDERAL ELECTION COMMISSION
JOHN MUCKLE
999 E ST. NW.
WASHINGTON DC 20463

AUGUST 30, 2000

JUDY R ENSLEN
PEOPLE FOR ROYAL HART
PO BOX 1265
ALIQUIPPA PA 15001

C00349944
AF#: 20

DEAR JUDY R ENSLEN:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE A JULY QUARTERLY REPORT OF RECEIPTS AND DISBURSEMENTS IN A CALENDAR YEAR DURING WHICH THERE IS A REGULARLY SCHEDULED ELECTION FOR WHICH THE CANDIDATE IS SEEKING ELECTION, OR NOMINATION FOR ELECTION. THIS REPORT, COVERING THE PERIOD THROUGH JUNE 30TH, SHALL BE FILED NO LATER THAN JULY 15TH. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT. RECORDS AT THE COMMISSION INDICATE THAT THIS REPORT WAS FILED ON 08/09/2000, 25 DAYS LATE.

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 08/23/2000, THE COMMISSION FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT PEOPLE FOR ROYAL HART AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE JULY 15TH. BASED ON THE COMMISSION'S SCHEDULES OF CIVIL MONEY PENALTIES AT 11 CFR 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$725.00. IT IS DUE BY 10/02/2000 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE
LEVEL OF ACTIVITY: \$2847
NUMBER OF DAYS LATE: 25
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

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

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 10/02/2000. 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 PEOPLE FOR ROYAL HART 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 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 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. VANCE IN THE REPORTS ANALYSIS DIVISION AT OUR TOLL

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

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 \$725.00
FOR THE 2000 JULY QUARTERLY REPORT.

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

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

THE REMITTANCE AND YOUR PAYMENT ARE DUE BY 10/02/2000. 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: PEOPLE FOR ROYAL HART

FEC ID#: C00349944

AF#: 20

PAYMENT DUE DATE: 10/02/2000

PAYMENT AMOUNT DUE: \$725.00



VIVIAN M. SPRATT, CPA
Accounting & Business Development

217 West Shaffer Road • Aliquippa, PA 15001
(724) 378-1945 • Fax: (724) 378-4465

RECEIVED
FEDERAL ELECTION
COMMISSION ~~8-2-00~~

OCT 3 2000

Darryl Wold
Chairman
Office of Administrative Review
999 E Street
NW
Washington, D.C. 20463

RE: People for Royal Hart
FEC ID# C00349944

September 28, 2000

Dear Sir,

I am corresponding on behalf of the above candidate committee concerning the penalty assessed for not filing a timely report for the report period covering June 30, 2000. I request abatement and adjustment of any penalty assessed.

The candidate requested that I assist in the filing of the report covering the period June 30, 2000. In the process of completing the report, the decision was made to file a final or termination report. The filing of the report covering the period June 30, 2000 included the time for termination. The dates for the report should have indicated the termination period, which was beyond the June 30 date.

At June 30, 2000 the bank account of the committee remained open. The bank assessed bank service charges and these were reported in the June 30 report. The actual account remained open through August 13, 2000. Enclosed is documentation for the bank statement and closure.


I had advised the candidate to file the report once the bank account was closed since the report was a termination report. Therefore, I request abatement of the penalty, as this was a judgmental error in not filing the report until closure of the bank account. It was not the intention of filing a report late but rather timely within the termination date. I




Page 2

request extraordinary circumstances in the filing of this termination report. The committee has been terminated and there are no funds to pay any penalty assessed.

Sincerely,


Vivian M. Spratt, CPA

I have read the above and agree in every aspect within its entirety.


Royal Hart
Candidate



MEMBER FDIC

Bank@Sky-Sky Bank's online service lets you conduct everyday banking transactions from the convenience of your personal computer. With our state-of-the-art technology, your account information and banking activities will remain private and secure. To get started, access Bank@Sky through our web site at www.sky-bank.com or pick up an application at any Sky Bank branch.

ROYAL D HART
PEOPLE FOR ROYAL HART
1407 IMPERIAL DR
ALBUQUERQUE PA 15001

07/14/00 through 08/13/00
0-0259
Page 1

Have questions about your statement or your account? Call our customer call center at 1-800-445-3658 from 8:00 A.M. to 5:30 P.M. Monday through Friday and speak to one of our telephone banking representatives.

Summary of Accounts

Name of Account	Account #	Balance
REGULAR CHECKING	4600732847	\$ - 4.10

REGULAR CHECKING 4600732847

Beginning balance as of 07-14-00	\$ 1.90
Checks paid and other withdrawals (0)	- 0.00
Service Charge (1)	- 6.00
Interest Paid (0)	+ 0.00
Deposits and other credits (0)	+ 0.00
Current balance as of 08-13-00	\$ - 4.10

Other Transaction Summary

Date	Description	Deposits	Withdrawals
08-13	SERVICE CHARGE		6.00

Balance Summary

Date	Balance	Date	Balance	Date	Balance
08-13	- 4.10				

DEPOSITED WITH

4000-9999-0201 B



People for R H

THIS IS THE OFFICIAL RECEIPT FOR YOUR DEPOSIT AND SHOULD BE HELD UNTIL VERIFIED WITH YOUR NEXT STATEMENT OF ACCOUNT. ALL ITEMS RECEIVED SUBJECT TO FINAL PAYMENT.

THE BANK SYMBOL, TRANSACTION NUMBER, DATE AND AMOUNT OF YOUR DEPOSIT ARE SHOWN BELOW

004 211 311 81800#090 \$4.10DP

Acct. Closed 8/18/00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Via First Class Mail

October 3, 2000

Judy R. Enslen, Treasurer
People for Royal Hart
P. O. Box 1265
Aliquippa, PA 15001

AF# 20

ID# C0034994

Dear Ms. Enslen,

On August 23, 2000, the Federal Election Commission ("the Commission") found reason to believe that People for Royal Hart and you, as treasurer, violated 2 U.S.C. § 434(a) with respect to the 2000 July Quarterly Report.

On September 29, 2000, the Commission received your written response and supporting documentation ("challenge") which is being reviewed by the Office of Administrative Review ("OAR"). If you have any questions regarding your challenge, please contact Jennifer Boyt, Reviewing Analyst 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 "Shawn Woodhead Werth".

Shawn Woodhead Werth
Reviewing Officer

Date: October 4, 2000

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

AF#: 20

**RECEIVED
FEDERAL ELECTION
COMMISSION OAR: ...**

Committee Name: People for Royal Hart

OCT 4 2000

Committee ID#: C00349944

Committee Address (if different than in RTB mailgram): same

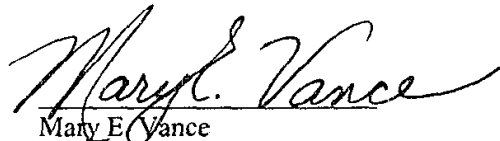
Treasurer Name (if different than in RTB finding): same

Attachments:

- Copy of Redacted RTB Report - Attachment # 1
- Copy of Redacted RTB Circulation Report - Attachment # 2
- Copy of RTB Mailgram - Attachment # 3
- Certified Return Receipt (to be forwarded at later date if not yet received) -
Attachment # 4
- Other Reports (Redacted if Necessary) Used for RTB Review -
Attachment # : N/A
- Telecons and Visitcons in Response to RTB Mailgram (Y/N): Y
Attachment # 5
- Original Correspondence Received by RAD in Response to
RTB Mailgram (Y/N): N
Attachment # : N/A
- RAD Staff Declaration - Attachment # 6

DECLARATION OF MARY E. VANCE

1. I am the Senior Analyst of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Senior Analyst 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 People for Royal Hart:
 - A) Prior Notice dated June 21, 2000 referencing the July Quarterly Report;
 - B) Non-Filer Mailgram dated August 3, 2000 referencing the July Quarterly Report;
 - C) Reason-to-Believe Mailgram dated August 30, 2000 referencing the July Quarterly Report.
3. I hereby certify that I have searched the Commission's public records and find that People for Royal Hart filed the July Quarterly Report with the Commission on August 9, 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 October, 2000.



Mary E. Vance
Senior Analyst, Compliance Branch
Reports Analysis Division
Federal Election Commission

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

June 21, 2000

I. CANDIDATES ACTIVE IN 2000 ELECTIONS - QUARTERLY

REPORT	REPORTING PERIOD ¹	REG./CERT. MAILING DATE ²	FILING DATE
July Quarterly	04/01/00 - 06/30/00	07/15/00	07/15/00 ³

WHO MUST FILE

Principal campaign committees of congressional candidates⁴ who seek election in 2000 must file a July Quarterly Report. These committees must continue to file quarterly reports throughout 2000, regardless of the primary election outcome, unless they file a valid termination report. Such committees must also file a Pre-Election Report for each election in which the candidate seeks nomination or election. If the campaign has an authorized committee(s), in addition to the principal campaign committee, the principal campaign committee must also file a consolidated report on Form 3Z and attach the report(s) of the authorized committee(s).

II. CANDIDATES NOT ACTIVE IN 2000 ELECTIONS - SEMIANNUALLY

REPORT	REPORTING PERIOD ¹	REG./CERT. MAILING DATE ²	FILING DATE
Mid-Year	01/01/00 - 06/30/00	07/31/00	07/31/00

WHO MUST FILE

Principal campaign committees of candidates not active in the 2000 elections (i.e., committees active in past or future elections) must file a Mid-Year Report.

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 Saturday. 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 July 15.

⁴An individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports.

(over)

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives contributions **(including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of loans to the candidate or committee)** of \$1,000 or more, after the 20th day, but more than 48 hours before the day of the election.

The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s). U.S. House candidates faxing 48-hour notices should transmit them to the FEC at 202/219-0174. Senate candidates should transmit them to the Secretary of the Senate at 202/224-1851. Note that 48-hour notices are the only FEC documents that may be faxed.

LABEL

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

ELECTRONIC FILING

U.S. House candidates have the option of filing 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.

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 will implement 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.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

November 6, 2000

Judy R. Enslin, Treasurer
People for Royal Hart
P.O. Box 1265
Aliquippa, PA 15001

AF# 20
C00349944

Dear Ms. Enslin:

On August 23, 2000, the Federal Election Commission ("Commission") found reason to believe ("RTB") that the People for Royal Hart and you, as Treasurer, ("respondents") violated 2 U.S.C. § 434(a) for failing to timely file the 2000 July Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$725 based on the schedule of penalties at 11 CFR § 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 CFR § 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 that reads "Shawn Woodhead Werth".

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

Attachment



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 3, 2000

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

AF# 20 - People for Royal Hart and Judy R. Enslen, as Treasurer

On August 23, 2000, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the People for Royal Hart and Judy R. Enslen, as Treasurer ("the respondents"), violated 2 U.S.C. § 434(a) for failing to file in a timely manner the 2000 July Quarterly Report and made a preliminary determination that the civil money penalty was \$725.00 based on the schedule of penalties at 11 CFR § 111.43. Respondents were notified by the Reports Analysis Division via mailgram on August 30, 2000 of the Commission's finding and civil money penalty calculated at RTB.

Respondents' Response

On September 29, 2000, the Commission received the written response ("challenge") and supporting documentation from Ms. Vivian M. Spratt, CPA, who was responding "on behalf of the . . . committee." Ms. Spratt submitted a letter and a copy of the respondents' bank statement covering July 14, 2000 through August 13, 2000.¹ Mr. Hart, the candidate, also signed the letter and added that he had read it and agreed with it. Ms. Spratt states that the respondents are challenging the civil money penalty calculated at RTB because of circumstances they believe were extraordinary. She maintains that after the candidate requested her assistance in preparing the report, they decided it should be a termination report. Ms. Spratt advised the candidate to wait until the bank account was closed to file the report. The account remained open through August 13, 2000; therefore, the respondents filed the July Quarterly Report late. Ms. Spratt declares that "this was a judgmental error in not filing the report until closure of the bank account. It was not the intention of filing a report late but rather timely within the termination date."

Analysis of Challenge

The July Quarterly Report was sent first class mail on August 7, 2000 and received on August 9, 2000. The Summary Page of the report discloses that it is a Termination Report. The report discloses total receipts of \$20.00, total disbursements of \$2,827.22 and total of outstanding debts and obligations owed by respondents of \$61,850.00. The report was filed 25 days late.

¹ There is a handwritten note on the statement noting "Acct. Closed 8/18/00."

The Federal Election Campaign Act ("Act") requires that quarterly reports must be filed no later than the 15th day after the last day of each calendar quarter in any calendar year during which there is a regularly scheduled election for which such candidate is seeking election, or nomination for election. 2 U.S.C. § 434(a)(2)(A)(iii). Furthermore, principal campaign committees must continue to file quarterly reports until they file a valid termination report. 2 U.S.C. § 433(d)(1) and 11 CFR § 102.3(b). Reports sent by certified or registered mail are considered filed on the U.S. postmark date; otherwise, reports must be received by the close of business on July 15th to be timely filed. 11 CFR § 104.5(e).

Prior Notice for the July Quarterly Report, which was sent to respondents on June 21, states that the filing date is July 15, 2000. On the first page, it states in bold type that "committees must continue to file quarterly reports throughout 2000 . . . unless they file a valid termination report." In addition, the second footnote of the Prior Notice explains that unless a report is sent via certified or registered mail, a report must be received by the filing date. Thus, respondents were notified of their continuing obligation to file quarterly reports, including the July Quarterly Report by July 15, 2000, until they filed a valid termination report.

Respondents 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 July Quarterly 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 \$725.00.

OAR Recommendations

- (1) Make a final determination that the People for Royal Hart and Judy R. Enslen, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$725.00; 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 - E Index of Reports Filed for the 1999-2000 Election Cycle
- Attachment 4 - Declaration from OAR

CANDIDATE/COMMITTEE/DOCUMENT	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	IMAGE LOCATION TYPE OF FILER
	OFFICE SOUGHT/	PARTY	PRIMARY	GENERAL			
HART, ROYAL DEAN	HOUSE 04 DEMOCRATIC PARTY				PENNSYLVANIA	2000 ELECTION	ID# HOPA04170
1. STATEMENT OF CANDIDATE							
1999 STATEMENT OF CANDIDATE					2AUG99		2 99FEC/470/2589
2. PRINCIPAL CAMPAIGN COMMITTEE							
PEOPLE FOR ROYAL HART							ID #C00349944 HOUSE
1999 STATEMENT OF ORGANIZATION					20OCT99		2 99FEC/489/1699
YEAR-END			35,955	36,054	30JUN99 -31DEC99	11	20FEC/523/1240
REQUEST FOR ADDITIONAL INFORMATION					30JUN99 -31DEC99	4	20FEC/608/0907
REQUEST FOR ADDITIONAL INFORMATION 2ND					30JUN99 -31DEC99	4	20FEC/644/2619
2000 PRE-PRIMARY			35,425	23,808	1JAN00 -15MAR00	9	20FEC/537/3815
NOTICE OF FAILURE TO FILE					1JAN00 -15MAR00	2	20FEC/538/4398
REQUEST FOR ADDITIONAL INFORMATION					1JAN00 -15MAR00	4	20FEC/608/0903
REQUEST FOR ADDITIONAL INFORMATION 2ND					1JAN00 -15MAR00	4	20FEC/644/2623
APRIL QUARTERLY			4,440	13,149	16MAR00 -31MAR00	6	20FEC/556/1015
NOTICE OF FAILURE TO FILE					16MAR00 -31MAR00	2	20FEC/555/1023
REQUEST FOR ADDITIONAL INFORMATION					16MAR00 -31MAR00	3	20FEC/607/1734
REQUEST FOR ADDITIONAL INFORMATION					16MAR00 -31MAR00	3	20FEC/607/1782
REQUEST FOR ADDITIONAL INFORMATION 2ND					16MAR00 -31MAR00	4	20FEC/632/1295
NOTICE OF FAILURE TO FILE					1APR00 -30JUN00	2	20FEC/592/4822
TERMINATION REPORT			20	2,827	1APR00 -30JUN00	5	20FEC/593/3065
REQUEST FOR ADDITIONAL INFORMATION					1APR00 -30JUN00	3	20FEC/608/0900
REQUEST FOR ADDITIONAL INFORMATION 2ND					1APR00 -30JUN00	4	20FEC/644/2627
TOTAL			75,840	0	75,838	0	72 TOTAL PAGES
3. AUTHORIZED COMMITTEES							
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN							

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DECLARATION OF SHAWN WOODHEAD WERTH

1. I am the Reviewing Officer and Director of the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I supervise the research conducted with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2000 July Quarterly Report covering the period April 1 through June 30, 2000 is due July 15, 2000. Unless a report is sent by certified or registered mail, the report must be received by the close of business on July 15, 2000 to be considered filed in a timely manner.
3. It is the practice of the Commission's Mail Room to date stamp each report as it is received and the 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 Summary, Detailed Summary and Envelope Replacement Pages for the 2000 July Quarterly Report filed first class mail by the People for Royal Hart and July R. Enslin, as Treasurer, which discloses \$20.00 in total receipts, \$2,827.22 in total disbursements and \$61,850.00 in outstanding debts and obligations owed by the respondents. According to the Commission's records, the report was mailed on August 7, 2000 and received on August 9, 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 3rd of November, 2000.



Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review
Federal Election Commission

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee
(Summary Page)

RECEIVED
FBI MAIL ROOM
2000 AUG -9 P 1:51

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full)
People for Royal Hart

ADDRESS (number and street) ☐ Check if different than previously reported.
PO. Box 1265

CITY, STATE and ZIP CODE
Altoona PA 15001

STATE/DISTRICT
PA-04

2. FEC IDENTIFICATION NUMBER
000 349944

3. IS THIS REPORT AN AMENDMENT?
☐ YES ☒ NO

4. TYPE OF REPORT

☐ April 15 Quarterly Report ☐ 12-Day Pre-Election Report for the _____ (Type of Election)
☐ July 15 Quarterly Report election on _____ in the State of _____
☐ October 15 Quarterly Report ☐ 30-Day Post-Election Report following the General Election
☐ January 31 Year End Report on _____ in the State of _____
☐ July 31 Mid-Year Report (Non-election Year Only) ☒ Termination Report

This report contains activity for ☒ Primary Election ☐ General Election ☐ Special Election ☐ Runoff Election

SUMMARY

5. Covering Period	COLUMN A This Period	COLUMN B Calendar Year-to-Date
<u>4-1-00</u> through <u>6-30-00</u>		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	20.00	12260.00
(b) Total Contribution Refunds (from Line 20(d))	0	0
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	20.00	12260.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	1921.07	73733.85
(b) Total Offsets to Operating Expenditures (from Line 14)	0	0
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	1921.07	73733.85
8. Cash on Hand at Close of Reporting Period (from Line 27)	-0-	
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)	60,580.00	

For further information contact
Federal Election Commission
619 E Street, NW
Washington, DC 20463
Toll Free 800-424-9650
Local 202-694-1100

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
Theresa R. Antoniazzi

Signature of Treasurer
Theresa R. Antoniazzi

Date
7/31/00

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 6437g.

--	--	--	--	--	--	--	--	--	--

FEC FORM 3
(revised 4/87)

FE-84H123

DETAILED SUMMARY PAGE'
of Receipts and Disbursements
(Page 2, FEC FORM 3)

Name of Committee (in full) <u>People for the Royal Hart</u>		Report Covering the Period: From <u>4-1-00</u> To <u>6-30-00</u>	
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) -----	0		
(ii) Unitemized -----	20.00		
(iii) Total of contributions from individuals -----	20.00		13260.00
(b) Political Party Committees -----			
(c) Other Political Committees (such as PACs) -----			
(d) The Candidate -----			
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(i), (b), (c) and (d)) -----	20.00		13260.00
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES -----			0
13. LOANS:			
(a) Made or Guaranteed by the Candidate -----	0		63580.00
(b) All Other Loans -----	0		
(c) TOTAL LOANS (add 13(a) and (b)) -----	0		63580.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.) -----	0		0
15. OTHER RECEIPTS (Dividends, Interest, etc.) -----	0		0
16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15) -----	20.00		75840.00
II. DISBURSEMENTS			
17. OPERATING EXPENDITURES -----	1921.07		73733.85
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES -----			
19. LOAN REPAYMENTS:			
(a) Of Loans Made or Guaranteed by the Candidate -----	1000.00		2000.00
(b) Of All Other Loans -----			
(c) TOTAL LOAN REPAYMENTS (add 19(a) and (b)) -----	1000.00		2000.00
20. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees -----			
(b) Political Party Committees -----			
(c) Other Political Committees (such as PACs) -----			
(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c)) -----			
21. OTHER DISBURSEMENTS ----- <u>none</u>	< 93.85		106.15
22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21) -----	2827.22		75840.00
III. CASH SUMMARY			
23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD -----	\$	2807.22	
24. TOTAL RECEIPTS THIS PERIOD (from Line 16) -----	\$	20.00	
25. SUBTOTAL (add Line 23 and Line 24) -----	\$	2827.22	
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22) -----	\$	2827.22	
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25) -----	\$	0.00	

FEB 2001

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 8/1/00
<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	
PR PREPARER	8/1/00 DATE PREPARED

(6/2000)

Federal Election Commission
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<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
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 PR PREPARER	 8/1/00 DATE PREPARED

(6/2000)

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 8, 2000

MEMORANDUM

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON
STAFF DIRECTOR

ALISON DOONE
DEPUTY STAFF DIRECTOR

FROM: SHAWN WOODHEAD WERTH *SW*
REVIEWING OFFICER
OFFICE OF ADMINISTRATIVE REVIEW

SUBJECT: FINAL DETERMINATION RECOMMENDATION IN AF# 20 -
PEOPLE FOR ROYAL HART AND JUDY R. ENSLEN,
AS TREASURER

On August 23, 2000, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the People for Royal Hart and Judy R. Enslen, as Treasurer ("the respondents") violated 2 U.S.C. § 434(a) for failing to file in a timely manner the 2000 July Quarterly Report. The report was filed on August 9, 2000, 25 days late. As a result, on August 23, 2000, the Commission also made a preliminary determination that the civil money penalty was \$725.00 based on the schedule of penalties at 11 CFR § 111.43.

On September 29, 2000, the Commission received the respondents' written response and supporting documentation ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated November 3, 2000 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 \$725.00 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 July Quarterly Report in a timely manner.

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 CFR § 111.36(f). As of this date, a written response has not been received from the respondents.

OAR Recommendations

- (1) Make a final determination in AF# 20 that the People for Royal Hart and Judy R. Enslin, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$725.00; and
- (2) Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination) AF #20
Recommendation - People)
for Royal Hart and Judy R.)
Enslin, as Treasurer.)

CERTIFICATION

I, Mary W. Dove, Acting Secretary of the Federal
Election Commission, do hereby certify that on
December 14, 2000, the Commission decided by a vote
of 6-0 to take the following actions in AF #20:

1. Make a final determination that People for Royal Hart
and Judy R. Enslin, as Treasurer, violated 2 U.S.C.
§ 434(a) and assess a civil money penalty of \$725.00.
2. Send the appropriate letter, as recommended in the
Office of Administrative Review Memorandum dated
December 8, 2000.

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

Attest:

December 15, 2000
Date

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

Received in the Secretariat: Mon., Dec. 11, 2000 9:19 a.m.
Circulated to the Commission: Mon., Dec. 11, 2000 11:00 a.m.
Deadline for vote: Thurs., Dec. 14, 2000 4:00 p.m.

vfv

**WESTERN
UNION**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: JUDY R. ENSLEN, TREASURER
PEOPLE FOR ROYAL HART
PO BOX 1265
ALIQUIPPA PA 15001-6265

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

FEDERAL ELECTION COMMISSION
999 E STREET, NW
WASHINGTON, DC 20463

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUDY R. ENSLEN, TREASURER
PEOPLE FOR ROYAL HART
P.O. BOX 1265
ALIQUIPPA, PA 15001

ID# C00349944
AF# 20

DEAR MS. ENSLEN,

ON AUGUST 23, 2000, THE FEDERAL ELECTION COMMISSION ("THE COMMISSION") FOUND REASON TO BELIEVE ("RTB") THAT THE PEOPLE FOR ROYAL HART AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO FILE TIMELY THE 2000 JULY QUARTERLY REPORT. BY MAILGRAM DATED AUGUST 30, 2000, THE COMMISSION SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT RTB OF \$725.00 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43. ON SEPTEMBER 29, 2000, THE OFFICE OF ADMINISTRATIVE REVIEW RECEIVED YOUR WRITTEN RESPONSE CHALLENGING THE AMOUNT OF THE CIVIL MONEY PENALTY.

THE REVIEWING OFFICER REVIEWED THE COMMISSION'S RTB FINDING WITH ITS SUPPORTING DOCUMENTATION AND YOUR WRITTEN RESPONSE WITH ITS SUPPORTING DOCUMENTATION. BASED ON THIS REVIEW, THE REVIEWING OFFICER RECOMMENDED THAT THE COMMISSION MAKE A FINAL DETERMINATION THAT THE PEOPLE FOR ROYAL HART AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) AND ASSESS A CIVIL MONEY PENALTY IN THE AMOUNT OF \$725.00 IN ACCORDANCE WITH 11 C.F.R. 111.43. THE BASIS FOR THE REVIEWING OFFICER'S RECOMMENDATION WAS INCLUDED IN THE FINAL DETERMINATION REPORT, A COPY OF WHICH WAS SENT TO YOU ON NOVEMBER 6, 2000.

ON DECEMBER 14, 2000, THE COMMISSION ADOPTED THE REVIEWING OFFICER'S RECOMMENDATION AND MADE A FINAL DETERMINATION THAT THE PEOPLE FOR ROYAL HART AND YOU, AS TREASURER, VIOLATED 2 U.S.C.

21.09.250.1271

**WESTERN
UNION****WESTERN UNION COMMERCIAL SERVICES**

434(A) AND ASSESSED A CIVIL MONEY PENALTY OF \$725.00. IT IS BASED ON THE SAME FACTORS USED TO CALCULATE THE CIVIL MONEY PENALTY AT RT8.

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 18% 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 IS REFERRED TO A PCA, THE TREASURY AND PCA COLLECT A FEE OF 28% OF THE CIVIL MONEY PENALTY AMOUNT WHICH WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY THAT YOU OWE. 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 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 COMPLETE 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 JENNIFER H. BOYT ON OUR TOLL FREE NUMBER (800)424-9530 (PRESS 0, THEN EXT. 1660) OR (202)694-1660.

SINCERELY,

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

DARRYL WOLD
CHAIRMAN-----
ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R.
111.43, THE CIVIL MONEY PENALTY IS \$725.00 FOR THE 2000 JULY
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 952182
ST. LOUIS, MO 63195-2182

IF YOU CHOOSE TO SEND YOUR PAYMENT BY COURIER OR OVERNIGHT
DELIVERY, PLEASE USE THIS ADDRESS:

FIRSTAR - GOVERNMENT LOCKBOX
FEC # 952182
1005 CONVENTION PLAZA
ST. LOUIS, MO 63101

THE FORM AND PAYMENT ARE DUE WITHIN 30 DAYS OF RECEIPT OF THIS
LETTER.

PLEASE DETACH AND RETURN THIS PORTION BELOW WITH YOUR PAYMENT

FOR PEOPLE FOR ROYAL HART

FEC ID # C00349944

AF # 20

PAYMENT AMOUNT DUE \$725.00


CERTIFICATION - DEBT COLLECTION

With respect to the debts attached or transmitted with this certification, I certify the following:

1. **Valid Debts.** The debts are delinquent, valid and legally enforceable in the amounts stated. No debtor has repaid or agreed to repay the claim under a signed repayment agreement or filed for review of the claim.
2. **No Bar to Collection.** The debts are not subject to any circumstances that legally preclude or bar collection. There are no foreclosures pending with respect to any collateral securing a debt. The Agency's records do not show that any debtor owing a debt has filed for bankruptcy protection. Alternatively, the Agency can clearly establish that any automatic stay has been lifted or is no longer in effect.
3. **Due Process.** The Agency, at a minimum, has made reasonable efforts to obtain payment of the debt: demanded payment and provided the debtor with the notice and opportunities described below:
 - A. At least 30 days prior to the date of this certification, the Agency has provided, or made reasonable efforts to provide each debtor with:
 - written notice, at the debtor's most current known address, of the nature and the amount of the debt, the intention of the Agency to collect the debt through referral to Treasury, and actions that may be taken by Treasury including referral of the debt to a private collection agency and referral of the debt to the Department of Justice for litigation.
 - an opportunity to inspect and copy the records of the Agency with respect to the debt;
 - an opportunity for review within the Agency of the determination of the Agency with respect to the debt, including the opportunity to present evidence that all or part of the debt is not past-due or legally enforceable.
 - B. The Agency has considered any evidence presented by the debtor and determined that the amount of the debt is past-due and legally enforceable and there are no pending appeals of such determination.
4. **Interest and Penalties.** The Agency has complied with all of the provisions of 31 U.S.C. § 3717 and 4 C.F.R. Part 102, as well as other statutes, regulations and policies applicable to the Agency's assessment of interest, penalties and administrative costs. The Agency has mailed or hand-delivered a written notice to all debtors explaining the Agency's requirements concerning the charges.

CERTIFICATION: Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that to the best of my knowledge and belief, and/or based upon Agency certification, that the foregoing is true and correct. I certify that I have been delegated authority to execute this certification on behalf of the head of my agency.

February 20, 2001
Date


Signature of Certifying Official
Print Name: Shawn Woodhead Werth
Title: Reviewing Officer
Agency: Federal Election Commission

THIS IS THE END OF ADMINSTRATIVE FINE CASE

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DATE FILMED 3/5/01 CAMERA NO. 3

CAMERAMAN ΣΣΣ

21.09.250.1275