



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2108

DATE SCANNED 1/8/10

SCANNER NO. 2

SCAN OPERATOR SES

10092650137



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2009 SEP 24 P 4: 03

September 24, 2009

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ROBERT HICKEY *RF RH*
STAFF DIRECTOR

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

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *NT* NATALIYA IOFFE/RHIANNON MAGRUDER/CHRIS RITCHIE *RM* *CP*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2009 AUGUST
MONTHLY REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is the name of a political committee and its treasurer who failed to file the 2009 August Monthly Report in accordance with 2 U.S.C. § 434(a). The August Monthly Report was due on August 20, 2009.

The committee listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, the committee should be assessed the civil money penalty highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committee and its treasurer listed on the RTB Circulation Report violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the RTB Circulation Report.
2. Send the appropriate letter.

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Federal Election Commission
Reason to Believe Circulation Report
2009 AUGUST MONTHLY Not Election Sensitive 08/20/2009 P_UNAUTH

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2108	C00274423	SACRAMENTO COUNTY DEMOCRATIC CENTRAL COMMITTEE: UNITED CAMPAIGN COMMITTEE - FEDERAL	WILLIAM GUY CROUCH, CPA, EA	\$160,639	1	9/11/2009	22	\$9,985	\$206

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason to Believe Recommendation - 2009)
August Monthly Report for the)
Administrative Fine Program:)
SACRAMENTO COUNTY) AF# 2108
DEMOCRATIC CENTRAL)
COMMITTEE: UNITED CAMPAIGN)
COMMITTEE - FEDERAL, and)
WILLIAM GUY CROUCH CPA EA as)
treasurer;)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on September 28, 2009 the Commission took the following actions on the
Reason to Believe Recommendation - 2009 August Monthly Report for the
Administrative Fine Program as recommended in the Reports Analysis Division's
Memorandum dated September 24, 2009, on the following committees:

AF#2108 Decided by a vote of 6-0 to: (1) find reason to believe that
SACRAMENTO COUNTY DEMOCRATIC CENTRAL COMMITTEE: UNITED
CAMPAIGN COMMITTEE - FEDERAL, and WILLIAM GUY CROUCH CPA EA 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 Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub
voted affirmatively for the decision.

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Federal Election Commission
Certification for Administrative Fines
September 28, 2009

Page 2

Attest:

September 28, 2009
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 5, 2009

William Guy Crouch, CPA, EA as Treasurer
Sacramento County Democratic Central Committee:
United Campaign Committee - Federal
P.O. Box 188236
Sacramento, CA 95818

C00274423
AF#: 2108

Dear Mr. Crouch:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an August Monthly Report of Receipts and Disbursements covering the period through July 31st. This report shall be filed no later than August 20th. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on September 11, 2009, 22 days late.

The Act permits 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 September 28, 2009, the FEC found that there is reason to believe ("RTB") that Sacramento County Democratic Central Committee: United Campaign Committee - Federal and you as treasurer violated 2 U.S.C. § 434(a) by failing to file timely this report on or before August 20th. 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 \$206. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$206 is due within forty (40) days of the finding, or by November 7, 2009, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$9,985
Number of Days Late: 22
Number of Previous Civil Money Penalties Assessed: 1

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

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committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or November 7, 2009. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "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 U.S. 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.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Sacramento County Democratic Central Committee: United Campaign Committee - Federal 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

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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.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

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.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiannon Magruder 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.

On behalf of the Commission,



Steven T. Walther
Chairman

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$206 for the 2009 August Monthly 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 November 7, 2009. 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: Sacramento County Democratic Central Committee: United Campaign Committee - Federal

FEC ID#: C00274423

AF#: 2108

PAYMENT DUE DATE: November 7, 2009

PAYMENT AMOUNT DUE: \$206

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2009 NOV 17 P 3:27

November 17, 2009

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR *AP*

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

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *NMG* NATALIYA IOFFE/RHIANNON MAGRUDER *RM*
COMPLIANCE BRANCH

SUBJECT: ADMINISTRATIVE FINE PROGRAM – FINAL DETERMINATION
RECOMMENDATION FOR THE 2009 AUGUST MONTHLY REPORT

Attached is a list identifying a political committee and its treasurer against which the Commission has found reason to believe (RTB) and assessed a proposed civil money penalty calculated at RTB for failure to file or failure to timely file the 2009 August Monthly Report. The committee has paid the civil money penalty requested at RTB.

In accordance with 11 CFR § 111.34, the Commission shall send a final determination notice to the respondent that has paid the civil money penalty.

RAD Recommendation

- (1) Make final determination that the political committee and its treasurer on the attached report violated 2 U.S.C. § 434(a) and assess the final civil money penalty so indicated.
- (2) Send the appropriate letter.

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11/17/2009 7:39 AM

Federal Election Commission
FD Circulation Report Fine Paid
2009 AUGUST MONTHLY Not Election Sensitive 08/20/2009 P_UNAUTH

AF#	Committee Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2108	SACRAMENTO COUNTY DEMOCRATIC CENTRAL COMMITTEE: UNITED CAMPAIGN COMMITTEE - FEDERAL	C00274423	WILLIAM GUY CROUCH CPA EA	09/11/2009	22	\$9,985	1	09/28/2009	\$206	\$206	11/10/2009	\$206

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program – Final) AF 2108
Determination Recommendation for the)
2009 August Monthly Report -)
Sacramento County Democratic Central)
Committee: United Campaign Committee)
Federal and William Guy Crouch, CPA)
EA, as treasurer)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on November 18, 2009, the Commission decided by a vote of 6-0 to
take the following actions in AF 2108:

1. Make a final determination that Sacramento County Democratic Central Committee: United Campaign Committee Federal, William Guy Crouch, CPA EA, as treasurer, violated 2 U.S.C. §434(a) and assess the final civil money penalty in the amount of \$206.00.
2. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther and
Weintraub voted affirmatively for the decision.

Attest:

November 19, 2009
Date

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

10092650148



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 19, 2009

William Guy Crouch, CPA EA as Treasurer
Sacramento County Democratic Central Committee:
United Campaign Committee - Federal
P.O. Box 188236
Sacramento, CA 95818

C00274423
AF#: 2108

Dear Mr. Crouch:


On September 28, 2009, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Sacramento County Democratic Central Committee: United Campaign Committee - Federal and its treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2009 August Monthly Report. By letter dated October 5, 2009, the Commission sent notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$206 in accordance with the schedule of penalties at 11 C.F.R. § 111.43.

On November 10, 2009, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on November 18, 2009 that you as treasurer and Sacramento County Democratic Central Committee: United Campaign Committee - Federal violated 2 U.S.C. § 434(a), assessed a civil money penalty in the amount of \$206 in accordance with 11 C.F.R. § 111.43, and voted to close the file.

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 this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,


Steven T. Walther
Chairman

10092650149

FOR: Sacramento County Democratic Central Committee: United Campaign Committee -
Federal

FEC ID#: C00274423

AF#: 2108

91-4

PAYMENT DUE DATE: November 7, 2009

PAYMENT AMOUNT DUE: \$206

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000020600 BA# 1 11-09-09 20 3



SACTO COUN DEMO CEN: UNITED CAMPAIGN PH. 916-448-7149 P.O. BOX 188236 SACRAMENTO, CA 95818-8236		3896
DATE 11/3/09		
PAY TO THE ORDER OF Federal Election Commission		\$ 206.00
Two Hundred & Six dollars & 00/100		DOLLARS
VALUED MEMBER SINCE 2001		
FOR FEC Fine		



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2108

DATE SCANNED 1/8/10

SCANNER NO. 2

SCAN OPERATOR SES

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