



FEDERAL ELECTION COMMISSION
Washington DC 20463

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THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2536

DATE SCANNED 8-13-13

SCANNER NO. 2

SCAN OPERATOR Chm A



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2012 AUG -1 AM 11: 16

MEMORANDUM

July 31, 2012

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer
Staff Director *AP*

FROM: Patricia C. Orrock *PC*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: *JW* Jodi Winship/Sari Pickeral *SP*
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2012 12 Day Pre-Primary
Report (New York)

Attached is a list of political committees and their treasurers who failed to timely file the 2012 12 Day Pre-Primary Report for the New York Primary Election in accordance with 2 U.S.C. § 434(a). The 12 Day Pre-Primary Report was due on June 14, 2012 and the Primary Election was held on June 26, 2012.

The committees listed on the attached RTB Circulation Report failed to file the election sensitive report by the required due date. Election sensitive reports filed more than four days prior to the election are considered late, and reports not filed more than four days prior to the election are considered not filed. 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 highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the 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
2012 PRE-PRIMARY Election Sensitive 06/14/2012 AUTH (NY)

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2535	C00518696	CHARLES BARRON FOR CONGRESS 2012	BARRON, CHARLES	COLETTE PEAN	\$165,361	0	6/20/2012	6	\$94,212	\$1,320
2536	C00511287	WILSON 2012	WILSON, THOMAS	MARY F. GRAETZER	\$105,718	0	7/15/2012	Not Filed	\$129,263	\$5,500

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2012)
12 Day Pre-Primary Report (New York):)
CHARLES BARRON FOR CONGRESS) AF# 2535
2012, and COLETTE PEAN as treasurer;)
WILSON 2012, and MARY F GRAETZER) AF# 2536
as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on August 02, 2012 the Commission took the following actions on the Reason To Believe Recommendation - 2012 12 Day Pre-Primary Report (New York) as recommended in the Reports Analysis Division's Memorandum dated July 31, 2012, on the following committees:

AF#2535 Decided by a vote of 6-0 to: (1) find reason to believe that CHARLES BARRON FOR CONGRESS 2012, and COLETTE PEAN 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.

AF#2536 Decided by a vote of 6-0 to: (1) find reason to believe that WILSON 2012, and MARY F GRAETZER 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.

Federal Election Commission
Certification for Administrative Fines
August 02, 2012

Page 2

Attest:

August 2, 2012
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 2, 2012

Mary F. Graetzer, in official capacity as Treasurer
Wilson 2012
24 Pine Hill Road
Tuxedo Park, NY 10987

C00511287
AF#: 2536

Dear Ms. Graetzer:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-Primary Report of Receipts and Disbursements in any 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 6, 2012, shall be filed no later than June 14, 2012. 2 U.S.C. § 434(a). Because records at the Federal Election Commission ("FEC") indicate that this report was not filed prior to four (4) days before the election, it is considered not filed for the purpose of calculating the civil money penalty.

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 August 2, 2012, the FEC found that there is reason to believe ("RTB") that Wilson 2012 and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before June 14, 2012. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$5,500. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. 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 CFR § 111.34. Your payment of \$5,500 is due within forty (40) days of the finding, or by September 11, 2012, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$129,263

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the election are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

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

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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 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 September 11, 2012. 11 CFR § 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 CFR § 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 CFR § 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 CFR § 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 CFR § 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 CFR § 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 submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Wilson 2012 and you, in your official capacity 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 CFR § 111.51(a)(2).

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 CFR § 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 Sari Pickerall 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,

Carole C. Hunter

Caroline C. Hunter
Chair

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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 \$5,500 for the 2012 Pre-Primary 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 September 11, 2012. 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: Wilson 2012

FEC ID#: C00511287

AF#: 2536

PAYMENT DUE DATE: September 11, 2012

PAYMENT AMOUNT DUE: \$5,500

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September 8, 2012

10 SEP '12 RCUD

To: FEC Office of Administrative Review
999 East Street, NW
Washington, D.C. 20463

From: Mary F. Graetzer, in official capacity as Treasurer
Wilson 2012
24 Pine Hill Road
Tuxedo Park, NY 10987

Re: C00511287
AF#:2536

Reason(s) for challenging FEC finding and/or calculated civil money penalty:

- 1) Factual Error: It was unclear whether documents were supposed to state that Congressional race was in New York's 18th District or New York's 19th District. It was also unclear what New York's official filing dates were vs. dates specified by Federal Election Commission.

According to 111.43, section (d) Election Sensitive Reports are due on October 15 before the general election. This report was filed on August 10, 2012. Therefore, it is the respondent's belief that this report was not Election Sensitive.

- 2) Miscalculation of civil money penalty: Total contributions were \$73,762.40. Penalty for late filing would be \$330 + \$82.50 x number of days late. However, this report was filed before October 15 and therefore was not late.
- 3) Demonstrated use of best efforts to file in a timely manner: It was unclear whether documents were supposed to state that Congressional race was in New York's 18th District or New York's 19th District. It was also unclear what New York's official filing dates were vs. dates specified by Federal Election Commission.

Sincerely,



Mary F. Graetzer

13092692487



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

September 10, 2012

Mary F. Graetzer, as Treasurer
Wilson 2012
24 Pine Hill Road
Tuxedo Park, NY 10987

C00511287
AF# 2536

Dear Ms. Graetzer:

On September 10, 2012, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") which is being reviewed by OAR. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

Debbie Chacona

for: Dayna C. Brown
Reviewing Officer
Office of Administrative Review

13092692488

Date: September 11, 2012

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

AF#: 2536

Committee Name: Wilson 2012

Committee ID#: C00511287

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

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

Attachments:

Copy of RTB Circulation Report, dated July 31, 2012 and RTB Certification, dated August 2, 2012 (Y/N): Y

Attachment #: # 1

Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y

Attachment #: # 2

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

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

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2012 Pre-Primary Report Prior Notice, dated May 21, 2012.

-Num-Filer Letter, dated June 15, 2012.

-RTB Letter, dated August 2, 2012.

Attachment #: # 4

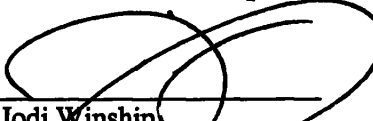
Other RAD Information: (Y/N): N

Attachment#: N/A

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DECLARATION OF JODI WINSHIP

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Wilson 2012:
 - A) Prior Notice, dated May 21, 2012, referencing the 2012 Pre-Primary Report (sent via electronic mail to: TOM@WILSON19.COM);
 - B) Non-Filer Letter, dated June 15, 2012, referencing the 2012 Pre-Primary Report;
 - C) Reason-to-Believe Letter, dated August 2, 2012 referencing the 2012 12 Day Pre-Primary Report.
3. I hereby certify that I have searched the Commission's public records and find that Wilson 2012 filed the 2012 Pre-Primary Report with the Commission on July 15, 2012.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 11th day of September, 2012.



Jodi Winship
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



PRIMARY ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

NEW YORK

May 21, 2012

POLITICAL COMMITTEES INVOLVED IN THE PRIMARY (06/26/12):

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Pre-Primary	04/01/12 - 06/06/12	06/11/12	06/14/12
48-Hour Notices	06/07/12 - 06/23/12	-- NY primary candidates only -- see filing info --	
July Quarterly	06/07/12 - 06/30/12	07/15/12	07/15/12 ²

WHO MUST FILE

The following committees must file the New York Pre-Primary Report:

- **Principal campaign committees** of congressional candidates (including unopposed candidates and candidates whose names do not appear on the ballot) who seek election in the primary election must file the above reports and notices.
- **PACs and party committees** filing on a quarterly basis in 2012 are subject to pre-election reporting if they make previously undisclosed contributions or expenditures (including independent expenditures) in connection with an election by the close of books of the applicable report(s).

Supplemental Filing Information is available:

- **Congressional Committees**
- **Parties and PACs**

Additional information New York Campaign Committees -- click here

¹ These dates indicate the beginning and 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 up through the close of books for the first report due.

² Notice that this filing deadline falls on a weekend or federal holiday. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than registered, certified or overnight mail, or electronically, must be received before the Commission's (or the Secretary of the Senate's) close of business on the last business day before the deadline.

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2012 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates ¹ (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2012. ²

Campaigns that raise or spend more than \$5,000 for the 2012 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2012, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e). See also 11 CFR 104.18 and 100.19.

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 83-86 [PDF]

Paper Filing - Meeting the Filing Deadline

Paper Report filing options – Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e). See also 11 CFR 100.19.

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 82 [PDF]

¹ Generally, an 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 crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a). See also 11 CFR 104.5(a).

² If a candidate has more than one authorized committee, the principal campaign committee files a consolidated report on Form 3Z [PDF]. See 11 CFR 104.3(f).

PRE- AND POST-ELECTION REPORTS

The principal campaign committee of any candidate participating in a 2012 state primary, nominating convention or runoff election -- even if unopposed -- must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The principal campaign committee of a candidate who participates in the general election must file pre- and post-general election reports. See 11 CFR 104.5(a)(2).

- Web Page: 2012 Congressional Pre-Primary Reporting Dates
- The Record:
 - FEC Record Blog: Reporting
 - January 2012 issue [PDF]
- Candidate Guide, pp. 81-82 [PDF]

COMPLIANCE

Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, pp. 7-9 [PDF]

Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).³ See generally, 11 CFR Part 111 Subpart B. See also 11 CFR 111.43.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 82-83 [PDF]

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.⁴ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

³ Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

⁴ Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

2012 REPORTING SCHEDULE

- Web Page: [2012 Reporting Dates Page](#)
- The Record:
 - [FEC Record Blog: Reporting](#)
 - [January 2012 issue](#) [PDF]
- [Candidate Guide, p. 83](#) [PDF]

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file [FEC Form 3L](#) [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,700 during the applicable reporting period ([see page 1 of this notice](#)). See 11 CFR 104.22 and 110.17(f).

- The Record: [March 2009 issue](#) [PDF]
- [Candidate Guide, Appendix F, pp. 155-161](#) [PDF]

SUPPLEMENTAL FILING INFORMATION NEW YORK CAMPAIGN COMMITTEES ONLY

48 HOUR NOTICES ON CONTRIBUTIONS

The principal campaign committee must file notices if any authorized committees receive any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period of June 7 through June 23, 2012.

The notices must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). Campaign committees that file electronically **MUST** submit their 48-hour notices electronically. See [11 CFR 104.5\(f\)](#).

- Web Page: [Link to Paper Forms](#) (for downloading and printing)
- Web Page: [Link to Web Form 6](#) (for online submission)
- Form 6 Fax numbers
 - Senate campaigns (Secretary of the Senate): (202) 224-1851
 - House Campaigns (FEC): (202) 219-0174
- Campaign Guide: [Candidate, p. 81](#) [PDF].

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

2012 SUPPLEMENTAL FILING INFORMATION PACs AND PARTY COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file either quarterly or monthly reports in 2012. See 11 CFR 104.5(c). Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e). See also 11 CFR 104.18 and 100.19.

- Web Page: Electronic Filing Page
- Campaign Guide: Nonconnected Committees (Nonconnected), pp. 51-53 [PDF]; Corporations and Labor Organizations (SSF), pp. 49-51 [PDF]; Political Party Committees (Party), pp. 69-71 [PDF].

Paper Filing – Meeting the Filing Deadline

Paper report filing options – Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e). See also 11 CFR 100.19.

- Web Page: Link to Paper Forms (for downloading and printing)
- Campaign Guide: Nonconnected, pp. 47-48 [PDF]; SSF, pp. 45-46 [PDF]; Party, p. 65 [PDF].

CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing and may change their filing frequency no more than once per calendar year. See 11 CFR 104.5(c).

- Web Page: Filing Frequency by Type of Committee
- Campaign Guide: Nonconnected, p. 51 [PDF]; SSF, p. 49 [PDF]; Party, p. 67 [PDF].

2012 REPORTING SCHEDULE

- Web Page: 2012 Reporting Dates Page
- The Record:
 - FEC Record Blog: Reporting
 - January 2012 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

PRE-ELECTION REPORTING

Quarterly filing committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: 2012 Congressional Pre-Primary Reporting Dates Page
- The Record:
 - FEC Record Blog: Reporting
 - January 2012 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

COMPLIANCE

Treasurer Responsibility

Committee treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceeding [PDF]
- Campaign Guide: Nonconnected, pp. 3-4 [PDF]; SSF, pp. 1-2 [PDF]; Party, pp. 6-7 [PDF].

Administrative Fine Program

Failure to file reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- or non-filers). See 11 CFR 111.43(b). See generally, 11 CFR Part 111 Subpart B. See also 11 CFR 111.43.

- Web Page: Administrative Fine Program Page
- Campaign Guide: Nonconnected, pp. 48-49 [PDF]; SSF, p. 46 [PDF]; Party, p. 66 [PDF].

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Party committees and Leadership PACs must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,700 during the applicable reporting period (see page 1 of this notice). See 11 CFR 104.22 and 11 CFR 110.17(f).

- The Record: March 2009 issue [PDF]

48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in 2012 may have to disclose this activity within 48- or 24-hours based upon the date and amount of the expenditure.

See 11 CFR 104.4(b)(2) and (c). See generally, 11 CFR 104.4.

- Web Page: State-by-state chart of 2012 48- and 24-hour periods for independent expenditures
- Campaign Guide: Nonconnected, pp. 72-74 [PDF]; SSF, pp. 65-67 [PDF]; Party, pp. 87-89 [PDF].

These reports are not required when a PAC or Party Committee makes a contribution directly to a candidate.

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 15, 2012

RQ-7

MARY F GRAETZER, TREASURER
WILSON 2012
24 PINE HILL ROAD
TUXEDO PARK, NY 10987

IDENTIFICATION NUMBER: C00511287

REFERENCE: PRE-PRIMARY REPORT 4/1/2012 - 6/6/2012

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 WILL BE ALLOWED UNTIL 5:00 PM EST ON THE FIFTH (4th) BUSINESS DAY FROM THE DATE OF THIS NOTICE TO FILE THIS REPORT TO AVOID PUBLICATION. IF YOU HAVE ALREADY FILED THE REPORT BY EXPRESS, CERTIFIED OR REGISTERED MAIL OR ARE PLANNING TO FILE IT WITHIN FOUR (4) BUSINESS DAYS FROM THE DATE OF THIS NOTICE, PLEASE NOTIFY US IMMEDIATELY OF THE CERTIFIED, REGISTERED OR EXPRESS TRACKING NUMBER AND THE DATE THAT THE REPORT WAS SENT.

THE REPORT MUST BE FILED WITH THE FEDERAL ELECTION COMMISSION, 999 E HYUNDT, N.W., WASHINGTON, D.C. 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 (MAILING ADDRESS: OFFICE OF PUBLIC RECORDS, P.O. BOX 77578, WASHINGTON, DC 20013-7578), FOR SENATE CANDIDATES. PLEASE NOTE THAT ELECTRONIC FILERS MUST SUBMIT THEIR REPORTS ELECTRONICALLY, AS PER 11 CFR §104.18. A COPY OF THE REPORT MUST 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.

IN ADDITION, THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR OTHER LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT MARLENE COLUCCI IN THE REPORTS ANALYSIS DIVISION ON OUR TOLL FREE NUMBER (800)424-9530. OUR LOCAL NUMBER IS (202)884-1130.

SINCERELY,

Debbie Chacona

DEBBIE CHACONA
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION (RAD)

12509263498



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2012 OCT 18 PM 2:08

SENSITIVE

October 18, 2012

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2536 – Wilson 2012 and
Mary F. Graetzer, in official capacity as Treasurer (C00511287)

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

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

Attachment

13092692499



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 18, 2012

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

AF# 2536 – Wilson 2012 and Mary F. Graetzer, in her official capacity as Treasurer
(C00511287)

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$5,500 civil money penalty.

Reason-to-Believe Background

On August 2, 2012, the Commission found reason to believe ("RTB") that Wilson 2012 and Mary F. Graetzer, violated 2 U.S.C. § 434(a) for failing to file the 12 Day Pre-Primary Report and made a preliminary determination that the civil money penalty was \$5,500, based on the schedule of penalties at 11 C.F.R. § 111.43. A letter, dated August 2, 2012, was mailed to the respondents' address of record by the Reports Analysis Division ("RAD") to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act requires that 12 day pre-election reports be filed by the treasurer of a principal campaign committee no later than the 12th day before any election in which the candidate is seeking election, or nomination for election. 2 U.S.C. § 434(a)(2)(A)(i) and 11 C.F.R. § 104.5(a)(2)(i). Reports electronically filed must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on the prescribed filing date to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5 (e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On September 10, 2012, the Commission received the written response ("challenge") from the Treasurer, who cites the following reasons for challenging:

1. **Factual Error and Demonstrated use of Best Efforts to file in a timely manner:** It was unclear whether they were supposed to state that their Congressional race was in New York's 18th or 19th District. It was also unclear what New York's official filing dates were versus those dates of the Federal Election Commission.

The challenge states that according to 111.43 section (d), election sensitive reports are due on October 15 before the general election, and this report was filed on August 10. Therefore, it is the respondents' belief that the report was not election sensitive.

2. Miscalculation of civil money penalty: Total contributions were \$73,762.40, so the penalty for late filing would be \$330 + \$82.50 x number of days late. However, this report was filed before October 15 and therefore, was not late.

Analysis

The challenge contends that the respondents were unclear as to whether they were supposed to state that the Congressional race was in New York's 18th or 19th District. Although the challenge did not elaborate, the Reviewing Officer believes that this contention may be related to the redistricting that took place in New York this year. New York State's Board of Elections website (<http://www.elections.ny.gov/>) provides a link entitled "District Maps" for the 2012 Elections. When clicked, the "District Maps" link connects to the website of the New York State Legislative Task Force on Demographic Research and Reapportionment (<http://www.latfor.state.ny.us/maps/?sec=2012c>). On this website is a document entitled "Documentation for Population Reports" that explains the March 19, 2012 redistricting plan imposed for New York State as a result of population data obtained from the 2010 census (<http://www.latfor.state.ny.us/maps/2012c/ReadMe.pdf>).

Notwithstanding the fact that it was the responsibility of the respondents to determine the district in which the Candidate was seeking election, the filing deadline for New York's 2012 12 Day Pre-Primary Report was the same for all Congressional candidates involved in the state's June 26, 2012 Primary. Therefore, whether the Candidate sought election in New York's 18th or 19th district, the report was due on June 14, 2012.

Regarding the challenge's assertion that they were unclear what New York's official filing dates were versus dates specified by the Commission, according to the Assistant Staff Director ("the ASD") of the Commission's Information Division, it is the practice of the Information Division to send welcome packets to new committees. In addition, courtesy reminders are sent to committees shortly before their Commission required reports are due, using the email address provided on their Statement of Organization. The ASD confirms that following the filing of the respondents' initial Statement of Organization on January 31, 2012, on February 3 a welcome message was emailed to "tom@wilson19.com," the email address disclosed on their Statement. The welcome message included a link entitled "Schedule of Reporting Dates" which opens directly to the "Reporting Dates" page on the Commission's website, clearly specifying the Commission's filing deadlines. Additionally, the ASD affirms that on May 25, 2012, the Information Division emailed a reminder regarding the New York's 12 Day Pre-Primary Report to the respondents. Therefore, a courtesy notification, clearly specifying the coverage dates and filing deadline of the report due to the Commission, was sent to the respondents' three weeks before the report was due.

The respondents were also notified of their requirement to file the 12 Day Pre-Primary Report on two occasions after the deadline passed. According to the Commission's Information Technology Division Manager, on June 15, 2012 (the day after the filing deadline), the Electronic Filing Office sent an email notification to "mary.graetzer@wilson18.org" alerting the respondents that they did not file the 12 Day Pre-Primary Report with the Commission. Also on June 15, 2012, RAD sent a non-filer notice to the respondents' address of record to inform them of their failure to file the report. The report was filed one month later on July 15, 2012.

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With respect to the respondents' contention that the 12 Day Pre-Primary Report is not election sensitive, 11 C.F.R. § 111.43(d)(1) clearly lists pre-election reports for primary elections among those reports classified as election sensitive.

There are four criteria used to calculate the amount of the civil money penalty. 11 C.F.R. § 111.43. They are: the election sensitivity of a report, the number of prior violations, the number of days late, and the level of activity on the late report. For purposes of Administrative Fine penalty calculations, the level of activity for an authorized committee is defined as the total amount of receipts and disbursements for the period covered by the late report. 11 C.F.R. § 111.43(d)(3)(i). The 12 Day Pre-Primary Report is an election sensitive report, and the respondents' report is considered not filed pursuant to 11 C.F.R. § 111.43(o)(2). Their report discloses \$37,966 in receipts and \$91,297 in disbursements, resulting in a level of activity of \$129,263, as calculated at RTB. Using the schedule of penalties at 11 C.F.R. § 111.43(b) for a non-filed election sensitive report, for respondents with no prior violations, and the level of activity bracket of \$100,000 - \$149,999.99, the civil money penalty is $\$5,500 \times [1 + (.25 \times 0)]$ or \$5,500 as was correctly calculated at RTB.

Negligence and a committee's failure to know filing dates are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control. Their challenge fails to meet any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 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 \$5,500.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2536 involving Wilson 2012 and Mary F. Graetzer, in her official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2536 that Wilson 2012 and Mary F. Graetzer, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$5,500; and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 –

Attachment 3 –

Attachment 4 – Declaration from RAD

Attachment 5 – Declaration from OAR

DECLARATION OF DAYNA C. BROWN

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2012 12 Day Pre-Primary Report is due June 14, 2012. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on June 14, 2012 to be timely filed.
3. It is the practice of the Commission's Information Division to send prior notification of a report's due date to committees and treasurers at their email address of record approximately 3 weeks before the due date.
4. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Page 1 of the Statement of Organization filed by Wilson 2012 and Mary F. Graetzer, in her official capacity as Treasurer. According to the Commission's records, the document is dated January 31, 2012, was received February 1, 2012, and lists "tom@wilson19.com" as the Committee's email address; and
 - b) Page 1 of the Summary Page and Pages 3 and 4 of the Detailed Summary Page, electronically filed by Tom Wilson for Congress and Mary Graetzer, in her official capacity as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 6, 2012, and was received on July 15, 2012. Line 16 lists \$37,966.00 in total receipts for the period. Line 22 lists \$91,297.90 in total disbursements for the period.
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 18th of October, 2012.



Dayna C. Brown
Reviewing Officer
Office of Administrative Review
Federal Election Commission

FEC
FORM 1

STATEMENT OF
ORGANIZATION

RECEIVED
2012 FEB -1 AM 11:38
FEC MAIL CENTER

1. NAME OF
COMMITTEE (in full)

☐

(Check if name
is changed)

Example: If typing, type
over the lines.

12FE4M5

Wilson 2012

ADDRESS (number and street)

24 Pine Hill Road

☐

(Check if address
is changed)

Tuxedo Park

NY

10987

CITY

STATE

ZIP CODE

COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)

☐

(Check if address
is changed)

tom@wilson19.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

☐

(Check if address
is changed)

wilson19.com

2. DATE

01 / 31 / 2012

3. FEC IDENTIFICATION NUMBER

C

4. IS THIS STATEMENT

☒

NEW (N)

OR

☐

AMENDED (A)

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

Type or Print Name of Treasurer

Mary F. Graetzer

Signature of Treasurer

Mary F. Graetzer

Date

01 / 31 / 2012

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

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 02/2009)

12030730132504

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

Tom Wilson for Congress

ADDRESS (number and street) ▼

233 Route 17

Check if different
than previously
reported. (ACC)

Tuxedo

NY

10987

2. FEC IDENTIFICATION NUMBER ▼

C C00511287

CITY ▲

STATE ▲

ZIP CODE ▲

STATE ▼ DISTRICT

3. IS THIS
REPORT

X

NEW
(N)

OR

AMENDED
(A)

NY

18

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

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

X

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

06

15

2012

in the
State of

NY

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period

04

01

2012

through

06

06

2012

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 Ms Mary Graetzer

Signature of Treasurer

Ms Mary Graetzer

[Electronically Filed]

Date

06

28

2012

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

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

DETAILED SUMMARY PAGE of Receipts

PAGE 3 / 57

FEC Form 3 (Revised 12/2003)

Write or Type Committee Name

Tom Wilson for Congress

Report Covering the Period:

From:

04 01 2012

To:

06 06 2012

I. RECEIPTS**COLUMN A**
Total This Period**COLUMN B**
Election Cycle-to-Date**11. CONTRIBUTIONS (other than loans) FROM:**(a) Individuals/Persons Other Than
Political Committees

(i) Itemized (use Schedule A).....

17885.00

70456.40

(ii) Unitemized.....

1106.00

3206.00

(iii) TOTAL of contributions
from individuals ▶

18991.00

73662.40

(b) Political Party Committees.....

0.00

0.00

(c) Other Political Committees
(such as PACs).....

0.00

0.00

(d) The Candidate.....

0.00

100.00

(e) TOTAL CONTRIBUTIONS
(other than loans)

(add Lines 11(a)(iii), (b), (c), and (d))..

18991.00

73762.40

12. TRANSFERS FROM OTHER

AUTHORIZED COMMITTEES

0.00

0.00

13. LOANS:(a) Made or Guaranteed by the
Candidate.....

18975.00

51933.36

(b) All Other Loans.....

0.00

2500.00

(c) TOTAL LOANS

(add Lines 13(a) and (b)).....

18975.00

54433.36

14. OFFSETS TO OPERATING

EXPENDITURES

(Refunds, Rebates, etc.)

0.00

0.00

15. OTHER RECEIPTS

(Dividends, Interest, etc.)

0.00

0.00

16. TOTAL RECEIPTS (add Lines11(e), 12, 13(c), 14, and 15)
(Carry Total to Line 24, page 4)..... ▶

37966.00

128195.76

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DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 02/2003)

PAGE 4 / 57

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	57797.90	81765.17
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	28500.00	28500.00
(b) Of All Other Loans	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	28500.00	28500.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees	5000.00	5000.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	5000.00	5000.00
21. OTHER DISBURSEMENTS	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	91297.90	115265.17

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	35458.00
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	37966.00
25. SUBTOTAL (add Line 23 and Line 24)	73424.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	91297.90
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	-17873.90

13092692507



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

October 19, 2012

Mary F. Graetzer, in official capacity as Treasurer
Wilson 2012
24 Pine Hill Road
Tuxedo Park, NY 10987

C00511287
AF# 2536

Dear Ms. Graetzer:

On August 2, 2012, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Wilson 2012 and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2012 12 Day Pre-Primary Report. The Commission also made a preliminary determination that the civil money penalty was \$5,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

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

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

Sincerely,

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

Attachment

13092692508



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2012 NOV -8 PM 12: 02

November 8, 2012

MEMORANDUM

SENSITIVE

To: The Commission

Through: *[Signature]* Alec Palmer
Staff Director

From: Patricia C. Orrock *[Signature]*
Chief Compliance Officer

Dayna C. Brown *[Signature]*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2536 – Wilson 2012 and
Mary F. Gratzner, in official capacity as Treasurer (C00511287)

On August 2, 2012, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2012 12 Day Pre-Primary Report and also made a preliminary determination that the civil money penalty was \$5,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

On September 10, 2012, the Commission received the respondents' written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated October 18, 2012 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$5,500 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

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

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OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2536 involving Wilson 2012 and Mary F. Graetzer, in her official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2536 that Wilson 2012 and Mary F. Graetzer, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$5,500; and
- (3) Send the appropriate letter.

13092692510

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation –) AF 2536
Wilson 2012 and Mary F. Graetzer, in)
official capacity as Treasurer)
(C00511287))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on November 21, 2012, the Commission decided by a vote of 6-0 to take the following actions in AF 2536:

1. Adopt the Reviewing Officer recommendation for AF# 2536 involving Wilson 2012 and Mary F. Graetzer, in her official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2536 that Wilson 2012 and Mary F. Graetzer, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$5,500.
3. Send the appropriate letter.

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

Attest:

November 21, 2012
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

13092692511



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 28, 2012

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary F. Graetzer, in official capacity as Treasurer
Wilson 2012
24 Pine Hill Road
Tuxedo Park, NY 10987

C00511287
AF# 2536

Dear Ms. Graetzer:

On August 2, 2012, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Wilson 2012 and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2012 12 Day Pre-Primary Report. By letter dated August 2, 2012, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$5,500 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On September 10, 2012, the Office of Administrative Review received your written response, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Wilson 2012 and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$5,500 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 October 19, 2012.

On November 21, 2012, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Wilson 2012 and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$5,500. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the final determination recommendation is attached.

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 treasurer 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

13092692512

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.

If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services, and 30% on debts over two years old. 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").

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

If You Choose To Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

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

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

On behalf of the Commission,



Caroline C. Hunter
Chair

Attachment

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$5,500 for 2012 12 Day Pre-Primary Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

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

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

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

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

PAYMENTS BY PERSONAL CHECK

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Wilson 2012

FEC ID#: C00511287

AF#: 2536

PAYMENT AMOUNT DUE: \$5,500

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**U.S. Department of the Treasury
Financial Management Service
Debt Collection Programs**

(Cross-Servicing Program and Treasury Offset Program)

Calendar Year 2013 Annual Debt Certification Agreement for Federal Nontax Debts

This Annual Debt Certification Agreement for Federal Nontax Debts (Certification Agreement) is submitted by: (Creditor Agency) Federal Election Commission (FEC).

Section I: Background

- A. The U.S. Department of the Treasury, Financial Management Service (FMS), provides debt collection services to Federal agencies that are owed delinquent debt.
- B. Federal agencies are generally required to submit debts that have been delinquent for 180 days to FMS for debt collection services, and may submit debts sooner if the necessary prerequisites are met. See 31 U.S.C. §§ 3711(g) and 3716(c).
- C. Upon submitting debts to FMS for debt collection services, Federal agencies are required to certify to FMS, among other things, that the debts are valid, legally enforceable, there are no bars to collection, and all requisite due process has been completed, as set forth in this Certification Agreement.
- D. The definitions of terms used in this Certification Agreement are in Attachment A, Definitions of Terms Used in Certification Agreement.

Section II: General Provisions

The Creditor Agency understands and agrees to the following:

- A. **Scope.** The provisions of this Certification Agreement apply to all Debts submitted by Electronic Transmission on or after the date of the Certification Agreement by the Creditor Agency to FMS for collection through the Cross-Servicing Program and/or the Treasury Offset Program.
- B. **Certification Authority.** Only an individual with delegated authority to certify a Debt on behalf of the Creditor Agency will submit a Debt to FMS via an Add Record or Update Record. The Creditor Agency will provide a copy of this Certification Agreement to any such individual.

C. Changes to Debt Information.

1. The Creditor Agency understands its obligation to notify FMS: (a) of any change in the amount, validity, or legal enforceability of the Debt; and (b) if the Debt becomes subject to circumstances that legally preclude or bar collection.
2. The Creditor Agency authorizes FMS to Update Records on its behalf, in accordance with criteria established by FMS, for the purpose of adding alias Debtor name information for a Debt certified by the Creditor Agency. Creditor Agency will notify FMS as soon as it learns that any such updates are incorrect.

Section III: Debt Certification

The Creditor Agency understands that by submitting a Debt to FMS via an Add Record or Update Record, the individual submitting the Debt is certifying to FMS, in writing, under penalty of perjury, that, to the best of his or her knowledge and belief, the following is true and correct:

A. General Prerequisites for Collection.

1. **Valid Debts.** The Creditor Agency has made a final determination that the Debt is valid and legally enforceable in the amount stated, and that the Debt is not subject to any circumstances that legally preclude or bar collection.
2. **Delinquent Debts.** The Debt is delinquent, and the Debtor is not paying the Debt in accordance with any repayment plan agreed to by the Creditor Agency.
3. **Interest, Penalties, and Administrative Costs.** The Creditor Agency has complied with all of the provisions of 31 U.S.C. § 3717 and 31 CFR 901.9, as well as other statutes, regulations, and policies applicable to Creditor Agency's assessment of interest, penalties, and administrative costs on the Debt. The Creditor Agency has provided a written notice to the Debtor explaining the Creditor Agency's requirements concerning the assessment of interest, penalties, and administrative costs.
4. **Debtor Disputes.** The Creditor Agency has considered any and all evidence presented by the Debtor disputing the Creditor Agency's determination about the Debt, and there are no pending appeals of such determination that would preclude collection of the Debt.
5. **Collection Efforts.** The Creditor Agency has made reasonable efforts to obtain payment of the Debt, including, at a minimum, by demanding payment of the Debt.
6. **Creditor Agency Profile Form.** The Creditor Agency Profile Form has been completed by the Creditor Agency and is accurate and up-to-date.

- B. General Prerequisites for Collection by Offset, including Tax Refund Offset.** If, in the Creditor Agency Profile Form, the Creditor Agency has authorized FMS to collect the Debt by offsetting Federal and State tax and nontax payments:

1. ***Compliance with Offset Laws.*** The Creditor Agency has complied with all of the provisions of 31 U.S.C. §§ 3716 and 3720A, 31 CFR Part 285, and the Federal Claims Collection Standards (31 CFR Parts 900-904), as may be amended, as well as other statutes, regulations and policies applicable to the collection of the Debt by offset.
2. ***Due Process Prerequisites.*** At least 60 days prior to the Certification Date, the Creditor Agency has provided, or made a reasonable attempt to provide, in accordance with applicable offset regulations, each Debtor with:
 - a. a written notification, at the Debtor's most current known address, of the nature and the amount of the Debt, the intention of the Creditor Agency to collect the Debt through offset, including offset of Federal and State payments, and an explanation of the rights of the Debtor;
 - b. an opportunity to inspect and copy the records of the Creditor Agency with respect to the Debt;
 - c. an opportunity for review of the Creditor Agency's determination with respect to the Debt, including an opportunity to present evidence that all or part of the Debt is not delinquent or legally enforceable; and
 - d. an opportunity to enter into a written repayment agreement with the Creditor Agency.
3. ***Due Process Prerequisites for Certain Older Debts.*** For a Debt outstanding more than ten years on or before December 28, 2009, the Creditor Agency sent the notice described in Section III.B.2.a to the last known address of the Debtor after the Debt was outstanding for more than ten years, and afforded the Debtor the opportunities described in Sections III.B.2.b. - II.B.2.d. at that time. This requirement does not apply to any Debt that could be collected by offset without regard to any time limitation prior to December 28, 2009.

C. *Prerequisites for Collection by Federal Salary Offset.* If, through a Salary Offset Instruction, the Creditor Agency has authorized FMS to collect the Debt by offsetting Federal salary payments:

1. ***Compliance with Federal Salary Offset Laws.*** The Creditor Agency has complied with all of the provisions of 5 U.S.C. § 5514, 5 CFR §§ 550.1101-1110, and 31 CFR 285.7, as may be amended, as well as other statutes, regulations and policies applicable to collection by salary offset; and
2. ***Due Process Prerequisites.*** At least 60 days prior to the Certification Date, the Creditor Agency has provided, or made a reasonable attempt to provide, in accordance with applicable offset regulations, each Debtor with the notification and opportunities required by Sections III.B.2. and III.B.3., and any other notices, opportunities, or considerations required for Federal salary offset.

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D. **Consumer Reporting Agencies.** If, in the Creditor Agency Profile Form, the Creditor Agency has authorized FMS to disclose Debts to consumer reporting agencies:

1. **Compliance with Consumer Reporting Agency Requirements.** The Creditor Agency has complied with all of the provisions of 31 U.S.C. § 3711(e) and the Federal Claims Collection Standards, as well as other statutes, regulations, and policies applicable to the reporting of a delinquent Debt to consumer reporting agencies.
2. **Notice Prerequisites.** At least 60 days prior to the Certification Date, the Creditor Agency provided the Debtor with:
 - a. notification that the Debt is overdue and the Creditor Agency intends to disclose that the Debtor is responsible for the Debt to a consumer reporting agency;
 - b. the specific information to be disclosed to the consumer reporting agency; and
 - c. the Debtor's rights to an explanation of the claim, dispute the information in the Creditor Agency's records about the claim, and an administrative appeal or review of the claim; and
3. **Review Prerequisites.** Upon the request of a Debtor, the Creditor Agency has provided for a review of the Debtor's claim(s), including an opportunity for reconsideration of the initial decision on the Debt.

Section IV: Certification

By signing below, I certify that I have delegated authority to execute this Certification Agreement on behalf of the head of Creditor Agency and understand this agreement applies to all debts submitted by Electronic Transmission on or after the date of the Certification Agreement to FMS for collection through the Cross-Servicing Program and/or the Treasury Offset Program.

Signature

Judy Berning

Print Name

Chief Finance Officer

Title

Date

**U.S. Department of the Treasury
Financial Management Service
Debt Collection Programs**

(Cross-Servicing Program and Treasury Offset Program)

Annual Debt Certification Agreement for Federal Nontax Debts

ATTACHMENT A

Definitions of Terms Used in Certification Agreement

For the purposes of this Certification Agreement:

1. **Add Records.** "Add Records" means the addition of new Debts, by Electronic Transmission, to the Cross-Servicing Program or TOP, by the Creditor Agency with an instruction by the Creditor Agency directing the Financial Management Service (FMS) to take collection action on the Debt, in accordance with the specification in the FMS Technical Guidance. "Add Records" occurs when the Creditor Agency submits a Debt to FMS unless the Creditor Agency explicitly instructs FMS not to take collection action (in accordance with the specifications of the FMS Technical Guidance). As further specified in the FMS Technical Guidance, "Add Records" can be accomplished either through a batch or manual process.
2. **Certification Date.** "Certification Date" means the date of the Electronic Transmission of the Debt.
3. **Creditor Agency Profile Form.** "Creditor Agency Profile Form" means the document(s) the Creditor Agency completes to provide information to FMS, including, among other things, what tools FMS is authorized to use to collect Debts on behalf of the Creditor Agency, and contact information for the Creditor Agency's personnel who are available to assist FMS with questions related to the transferred Debt. The Creditor Agency Profile Form is an FMS document that FMS sends to agencies for completion.
4. **Cross-Servicing Program.** "Cross-Servicing Program" means FMS's debt collection program in which FMS uses a variety of debt collection tools, including TOP, to collect delinquent nontax debts on behalf of Federal agencies.
5. **Debt.** "Debt" means any federal nontax debt, any information about such a debt, any information about the Debtor associated with the debt, and any update, change, or modification to such information.
6. **Debtor.** "Debtor" means a person who owes a Debt.
7. **Debtor Detail Screen.** "Debtor Detail Screen" means the screen in the TOP Web Client (as defined in FMS Technical Guidance) on which a Debt can be entered.

8. **Electronic Transmission.** "Electronic Transmission" means any transmission of information to FMS from the Creditor Agency via any form of electronic media including, but not limited to, tapes, diskettes, and on-line access through an Add Records, an Update Records, or a Salary Offset Instruction.
9. **FMS Technical Guidance.** "FMS Technical Guidance" means the technical guidance issued by FMS that, among other things, instructs agencies how to Add Records and Update Records. "FMS Technical Guidance" includes:
 - a. ***Direct Referrals to TOP.*** For direct referrals to TOP, "FMS Technical Guidance" includes:
 - i. "Treasury Offset Program Agency Guide: The Official Federal Agency Guide to the Treasury Offset Program," version 2010.3, as updated from time-to-time;
 - ii. "Treasury Offset Program: Enhanced Record Layouts Version 3.2 with Definitions, Error Codes and Layout Mapping," as updated from time-to-time;
 - iii. "Integrated Agency Interface File Formats," version 3.30t, as updated from time-to-time;
 - iv. "Treasury Offset Program: The Online Client Agency User Guide," version 1.0, as updated from time-to-time; and
 - v. Any other guidance issued by FMS providing technical specifications for how to refer Debts directly to TOP.
 - b. ***Referrals to the Cross-Servicing Program.*** For referrals to the Cross-Servicing Program, "FMS Technical Guidance" includes:
 - i. "Integrated Agency Interface File Format For Cross-Servicing," version 3.30.1, as updated from time-to-time;
 - ii. "XDC FedDebt Referral File Format: Electronic Case Entry for Cross-Servicing," as updated from time-to-time;
 - iii. "FedDebt Online Functionality: Creating a Case Online," revised 12/2010, as updated from time-to-time;
 - iv. "Cross-Servicing Implementation Guide," revised August 2008, as updated from time-to-time; and
 - v. Any other guidance issued by FMS providing technical specifications for how to refer Debts to the Cross-Servicing Program.
10. **Record Type 6.** "Record Type 6" means the record layout used for sending data to TOP, and includes information regarding what payments should be excluded from offset.
11. **Salary Offset Instruction.** "Salary Offset Instruction" means the salary bypass indicator used by the Creditor Agency to indicate to TOP whether or not a Debt should be collected through the offset of Federal salary payments. As further specified in the FMS Technical Guidance:
 - a. ***No Offset of Federal Salary Payments.*** To direct that FMS not collect a Debt through the offset of Federal salary payments, the Creditor Agency must:

- i. Transmit the file with a Record Type 6 containing an A in the Action Field and SAL in the Payment Bypass Indicator Field;
 - ii. Indicate in the Creditor Agency's Agency Profile (i.e., the default settings established by the Creditor Agency) that Federal salary payments should not be offset;
 - iii. Manually check the "salary by-pass" column online through the Debtor Detail Screen; or
 - iv. Follow other relevant guidance in the FMS Technical Guidance regarding how to bypass salary payments.
- b. ***Offset Federal Salary Payments.*** The Creditor Agency directs FMS to collect a Debt through the offset of Federal salary payments as follows:
- i. If the Creditor Agency submits a Debt to FMS without a specific indication that the Debt should not be collected through the offset of Federal salary payments (see paragraph 11.a. of this Attachment A, above), the Creditor Agency has indicated that the Debt should be collected through the offset of Federal salary payments;
 - ii. If the Creditor Agency has previously indicated that Federal salary payments not be offset, to indicate that Federal salary payments be offset, the Creditor Agency must:
 - (a) Send a Record Type 6 with a D in the Action Field and SAL in the Payment Bypass Indicator Field;
 - (b) Send a Record Type 6 with a U in the Action Field and SAL in the Payment Bypass Indicator Field; or
 - (c) Indicate in the Creditor Agency's Agency Profile (i.e., the default settings established by the Creditor Agency) that Federal salary payments should be offset; or
 - iii. The Creditor Agency must follow other relevant guidance in the FMS Technical Guidance regarding how to offset Federal salary payments.
12. **Treasury Offset Program or TOP.** "Treasury Offset Program" or "TOP" means the FMS's debt matching and payment offset program that uses payment and debt data received from Federal agencies and States to collect delinquent debt from payments disbursed by FMS and other Federal and State disbursing agencies.
13. **Update Records.** "Update Records" means any update, change or modification of information about a Debt previously transmitted by the Creditor Agency. Specifically, "Update Records" includes any update, change or modification of information about such a Debt that is submitted to FMS, by Electronic Transmission, through either a batch or manual process, as further specified by the FMS Technical Guidance.



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2536

DATE SCANNED 8-13-13

SCANNER NO. 2

SCAN OPERATOR Janet

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