

THIS IS THE BEGINNING OF ADMINSTRATIVE FINE CASE

83

DATE FILMED 5/16/01 CAMERA NO. 4

CAMERAMAN EEJ

21.09.250.2190



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 11, 2000

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2000 OCT 12 A 9 19

MEMORANDUM

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON
STAFF DIRECTOR

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

SUBJECT: REASON TO BELIEVE RECOMMENDATION - 12 DAY
PRE-PRIMARY REPORT FOR THE ADMINISTRATIVE
FINES PROGRAM

SENSITIVE

We are withdrawing and resubmitting the document circulated to the Commission on October 5, 2000.

Attached is a list of political committees and their treasurers who failed to file or timely file the 2000 12 Day Pre-Primary Report in accordance with 2 U.S.C. 434(a). On August 7, 2000, Prior Notice was sent to all political committees and their treasurers involved in the New York primary election held September 12, 2000, informing them that the 12 Day Pre-Primary Report was due on August 31, 2000. The report should cover from July 1, 2000 (or the closing date of the last report filed or, if the committee is newly registered, all activity that occurred before registration) through August 23, 2000.

The committees listed in the attached RTB Circulation Report either filed the report more than five (5) days after the due date, failed to file the report or failed to file the report prior to four (4) days before the primary election (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties included on the report provided.

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 1999-2000
Reason to Believe Circulation Report
2000 12 DAY PRE-PRIMARY

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF0082	MEERS FOR CONGRESS 2000	C00329375	CHARLES H REEVES III	10/03/2000 *	\$27,785		NY	MEERS, GREGORY W	Yes	0	\$2,000
			???								
AF0083	CLARKE 2000	C00343848	RAYNEL' L TROTMAN	Not Filed	\$71,861 (est)		NY	CLARKE, UNA S	Yes	0	\$3,000

*Defined as not filed



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Hilson
SENSITIVE

DATE & TIME OF TRANSMITTAL: Thursday, October 12, 2000 11:00

BALLOT DEADLINE: Tuesday, October 17, 2000 4:00

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

SUBJECT: Reason To Believe Recommendation - 12 Day
Pre-Primary Report For The Administrative
Fines Program.

() I approve the recommendation(s)

() I approve the recommendations except those following
to which I object (please insert AF#)

() I approve the recommendations except those following
in which I abstain (please insert AF#)

() I approve the recommendations except those following
in which I am recused (please insert AF#)

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

DATE: _____

SIGNATURE: _____

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

2000 OCT 12 11:00 AM

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Clarke 2000 and Raynel' L.) AF #83
Trotman, as Treasurer.)

CERTIFICATION

I, Mary W. Dove, Acting Secretary of the Federal Election Commission, do hereby certify that on October 17, 2000 the Commission decided by a vote of 6-0 to find reason to believe that the Clarke 2000 and Raynel' L. Trotman, as Treasurer, violated 2 U.S.C. § 434(a), and make a preliminary determination that the civil money penalty would be the amount indicated in the Reports Analysis Division's Memorandum dated October 11, 2000 for the 2000 12 Day Pre-Primary Report for the Administrative Fines Program; and send the appropriate letter.

(Continued)

Federal Election Commission
Certification for AF #83
October 17, 2000

Page 2

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

Attest:

October 17, 2000
Date

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

Received in the Secretariat: Thurs., Oct. 12, 2000 9:19 a.m.
Circulated to the Commission: Thurs., Oct. 12, 2000 11:00 a.m.
Deadline for vote: Tues., Oct. 17, 2000 4:00 p.m.

lrd

2000 OCT 17 05:21 PM

**WESTERN
UNION**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: RAYNEL° L TROTMAN
CLARKE 2000
260 MIDWOOD ST
BROOKLYN NY 11225-5408LEAH PALMER
FEDERAL ELECTION COMMISSION
999 E ST NW # 819
WASHINGTON DC 20463

OCTOBER 18, 2000

RAYNEL° L TROTMAN
CLARKE 2000
260 MIDWOOD STREET
BROOKLYN NY 11225C00343848
AF#: 83

DEAR RAYNEL° L TROTMAN:

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 SUCH CANDIDATE IS SEEKING ELECTION, OR NOMINATION FOR ELECTION. THIS REPORT, COVERING THE PERIOD THROUGH AUGUST 23, 2000, SHALL BE FILED NO LATER THAN AUGUST 31, 2000. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THE REPORT. RECORDS AT THE COMMISSION INDICATE THAT THIS REPORT WAS NOT FILED PRIOR TO FOUR (4) DAYS BEFORE THE PRIMARY ELECTION, 2000. YOU SHOULD FILE THE 12 DAY PRE-PRIMARY REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE ACT WAS FURTHER AMENDED IN 1999 TO PERMIT THE FEDERAL ELECTION COMMISSION ("THE COMMISSION") TO IMPOSE CIVIL MONEY PENALTIES FOR VIOLATIONS OF THE REPORTING REQUIREMENTS OF 2 U.S.C. 434(A). 2 U.S.C. 437G(A)(4). ON 10/17/2000, THE COMMISSION FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT CLARKE 2000 AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE AUGUST 31, 2000. BASED ON THE COMMISSION'S SCHEDULES OF CIVIL MONEY PENALTIES AT 11 CFR 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$3000.00. IT IS DUE BY 11/26/2000 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: ELECTION SENSITIVE
LEVEL OF ACTIVITY*: \$71861
NUMBER OF DAYS LATE: NOT FILED
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 0

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

*IF THE REPORT WAS NOT RECEIVED, THE LEVEL OF ACTIVITY WAS ESTIMATED USING TOTAL RECEIPTS AND DISBURSEMENTS FOR THE CURRENT 2-YEAR ELECTION CYCLE (OR PRIOR CYCLE, IF NO REPORTS WERE FILED THIS CYCLE) DIVIDED BY THE NUMBER OF REPORTS FILED.

TO PAY THE CALCULATED CIVIL MONEY PENALTY

TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED REMITTANCE AND YOUR PAYMENT TO THE COMMISSION AT THE ADDRESS ON PAGE 3. UPON RECEIPT OF YOUR PAYMENT, THE COMMISSION WILL SEND YOU A FINAL DETERMINATION LETTER.

TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY

TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY, YOU MUST SUBMIT A WRITTEN RESPONSE TO THE COMMISSION'S OFFICE OF ADMINISTRATIVE REVIEW, 999 E STREET, NW, WASHINGTON, DC 20463. YOUR RESPONSE MUST BE RECEIVED BY 11/26/2000. YOUR WRITTEN RESPONSE MUST INCLUDE THE REASON(S) WHY YOU ARE CHALLENGING THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY. THE COMMISSION WILL ONLY CONSIDER CHALLENGES THAT ARE BASED ON A FACTUAL ERROR, MISCALCULATION OF THE CALCULATED CIVIL MONEY PENALTY BY THE COMMISSION, OR THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES THAT PERSISTED FOR MORE THAN 48 HOURS THAT WERE BEYOND YOUR CONTROL AND PREVENTED YOU FROM FILING THE REPORT IN A TIMELY MANNER. YOUR RESPONSE MUST INCLUDE THE FACTUAL BASIS SUPPORTING THE REASON(S) AND SUPPORTING DOCUMENTATION. THE COMMISSION STRONGLY ENCOURAGES THAT DOCUMENTS BE SUBMITTED IN THE FORM OF AFFIDAVITS OR DECLARATIONS. EXTRAORDINARY CIRCUMSTANCES THAT WILL NOT BE CONSIDERED INCLUDE, BUT ARE NOT LIMITED TO, NEGLIGENCE, PROBLEMS WITH VENDORS OR CONTRACTORS, STAFF ILLNESS, COMPUTER FAILURES AND SIMILAR CIRCUMSTANCES. 11 CFR 111.35(b)(1)(iii) AND (4).

IF YOU INTEND TO BE REPRESENTED BY COUNSEL, PLEASE ADVISE THE OFFICE OF ADMINISTRATIVE REVIEW. YOU SHOULD PROVIDE, IN WRITING, THE NAME, ADDRESS AND TELEPHONE NUMBER OF YOUR COUNSEL AND AUTHORIZE COUNSEL TO RECEIVE NOTIFICATIONS AND COMMUNICATIONS RELATING TO THIS CHALLENGE AND IMPOSITION OF THE CALCULATED CIVIL MONEY PENALTY.

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A CHALLENGE

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE, THE COMMISSION WILL ASSUME THAT THE PRECEDING FACTUAL ALLEGATIONS ARE TRUE AND MAKE A FINAL DETERMINATION THAT CLARKE 2000 AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) AND ASSESS A CIVIL MONEY PENALTY.

UNPAID CIVIL MONEY PENALTIES ASSESSED THROUGH THE ADMINISTRATIVE FINE REGULATIONS WILL BE SUBJECT TO THE DEBT COLLECTION ACT OF 1982("DCA") AS AMENDED BY THE DEBT COLLECTION IMPROVEMENT ACT OF 1996, 31 U.S.C. 3701 ET SEQ. THE COMMISSION MAY TAKE ANY AND ALL APPROPRIATE ACTION AUTHORIZED AND REQUIRED BY THE DCA, AS AMENDED, INCLUDING TRANSFER TO THE U.S. DEPARTMENT OF THE TREASURY FOR COLLECTION. 11 CFR 111.45.

THIS MATTER WAS GENERATED BASED ON INFORMATION ASCERTAINED BY THE COMMISSION IN THE NORMAL COURSE OF CARRYING OUT ITS SUPERVISORY RESPONSIBILITIES. 2 U.S.C. 437G(A)(2). IT WILL REMAIN CONFIDENTIAL IN ACCORDANCE WITH 2 U.S.C. 437G(A)(4)(3) AND 437G(A)(12)(A) UNLESS

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

YOU NOTIFY THE COMMISSION IN WRITING THAT YOU WISH THE MATTER TO BE MADE PUBLIC.

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

SINCERELY,

DARRYL WOLD
CHAIRMAN

* * * * *
ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 CFR 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$3000.00 FOR THE 2000 12 DAY 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 952182
ST. LOUIS, MO 63195-2182

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

THE REMITTANCE AND YOUR PAYMENT ARE DUE BY 11/26/2000. UPON RECEIPT OF YOUR REMITTANCE AND PAYMENT, THE COMMISSION WILL SEND YOU A FINAL DETERMINATION LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: CLARKE 2000

FEC ID#: C00343848

AF#: 83

PAYMENT DUE DATE: 11/26/2000

PAYMENT AMOUNT DUE: \$3000.00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 8, 2000

RECEIVED
FEDERAL ELECTION
COMMISSION
GENERAL PLAT

2000 DEC 11 A 9:26

SENSITIVE

MEMORANDUM

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON
STAFF DIRECTOR

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

SUBJECT: ADMINISTRATIVE FINES FINAL DETERMINATION
RECOMMENDATION FOR THE 2000 JULY QUARTERLY,
12 DAY PRE-PRIMARY AND SEPTEMBER MONTHLY
REPORTS

Attached are two lists of political committees and their treasurers which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2000 July Quarterly, 12 Day Pre-Primary or September Monthly Reports. The first list represents committees that have paid the civil money penalty and the second list represents those that have not paid. The committees that have not paid have been given at least forty (40) days from the date of the RTB notification to remit payment.

In accordance with 11 CFR 111.34 and 11 CFR 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

Three committees have filed their reports after the RTB finding. In each case, the actual level of activity disclosed on the report results in a civil money penalty which is lower than that assessed at RTB. The committees are:

- Lincoln Diaz-Balart for Congress Committee
AF #28: 2000 July Quarterly Report
AF #80: 2000 12 Day Pre-Primary Report
- People for Charlie Gerow
AF #34: 2000 July Quarterly Report

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- Congressional Black Caucus Political Action Committee
AF #50: 2000 July Quarterly Report

None of the committees listed above have paid the civil money penalty. The actual level of activity and receipt date of the reports, as well as the revised civil money penalties, are reflected on the attached "not paid" circulation report.

For your information, this circulation closes all administrative fines cases up to the 2000 September Monthly Report, with the exception of those committees that have submitted challenges.

RAD Recommendation

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

21.09.250.2202

FEDERAL ELECTION COMMISSION 1999-2000
FINAL DETERMINATION CIRCULATION REPORT

DATE 12/08/2000
PAGE: 1

AF #	CANDIDATE NAME	RECEIPT DATE	RTB DATE	DAYS LATE	RTB PENALTY	COMMITTEE NAME	COMMITTEE ID	LEVEL OF ACTIVITY	TREASURER	STATE	REPORT TYPE	FINAL CIVIL MONEY PENALTY
										NOT PAID		
AF0025	KILIAN FOR CONGRESS COMMITTEE KILIAN, DENNIS M Not Filed	08/23/2000					C00350405		JANICE L KILIAN \$35,996 (est) 107	CA	2000 JULY QUARTERLY	\$1,800
AF0028	LINCOLN DIAZ-BALART FOR CONGRESS COMMITTEE DIAZ-BALART, LINCOLN Not Filed	08/23/2000					C00264028		JOSE A RIESCO \$83,606 107	FL	2000 JULY QUARTERLY	\$3,500
AF0080	LINCOLN DIAZ-BALART FOR CONGRESS COMMITTEE DIAZ-BALART, LINCOLN Not Filed	10/21/2000					C00264028		JOSE A RIESCO \$42,328 66	FL	2000 12 DAY PRE-PRIMARY	\$2,000
AF0007	TROTTER 2000 FOR CONGRESS TROTTER, DONNE E 07/25/2000	08/23/2000					C00349290		EDWARD L WIMP \$2,450 107	IL	2000 JULY QUARTERLY	\$350
AF0087	PETER ABAR FOR CONGRESS COMMITTEE ABAR, PETER JON 09/13/2000	10/17/2000					C00353375		JOHN J O'NEILL \$39,293 52	MA	2000 12 DAY PRE-PRIMARY	\$900
AF0014	COMMITTEE TO ELECT TONY FUSCO TO CONGRESS FUSCO, ANTHONY J JR 08/07/2000	08/23/2000					C00357970		STEVEN W PINTO CPA \$54,598 107	NJ	2000 JULY QUARTERLY	\$2,025
AF0083	CLARKE 2000 CLARKE, UNA S Not Filed	10/17/2000					C00343848		RAYNEL' L TROTMAN \$71,861 (est) 52	NY	2000 12 DAY PRE-PRIMARY	\$3,000
AF0019	TROUTT FOR CONGRESS TROUTT, ERIC DEAN 07/28/2000	08/23/2000					C00354746		H P FERGUSON \$3,849 107	OK	2000 JULY QUARTERLY	\$425
AF0076	TROUTT FOR CONGRESS TROUTT, ERIC DEAN 08/28/2000	09/18/2000					C00354746		H P FERGUSON \$275 81	OK	2000 12 DAY PRE-PRIMARY	\$275

Hilson



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Monday, December 11, 2000 11:00

BALLOT DEADLINE: Thursday, December 14, 2000 4:00

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

SUBJECT: **Administrative Fines Final Determination Recommendation
For The 2000 July Quarterly, 12 Day Pre-Primary And
September Monthly Reports**

() I approve the recommendation(s)

() I approve the recommendations except those following
to which I object (please insert AF#)

() I approve the recommendations except those following
in which I abstain (please insert AF#)

() I approve the recommendations except those following
in which I am recused (please insert AF#)

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

DATE: _____

SIGNATURE: _____

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

2002.052.60.12

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Clarke 2000 and Raynel' L.) AF #83
Trotman, as treasurer.)

CERTIFICATION

I, Mary W. Dove, Acting Secretary of the Federal Election Commission, do hereby certify that on December 15, 2000 the Commission decided by a vote of 6-0 to make a final determination that the Clarke 2000 and Raynel' L. Trotman, as treasurer, violated 2 U.S.C. § 434(a), and assess that the civil money penalty as indicated in the Reports Analysis Division's Memorandum dated December 8, 2000 for the 2000 July Quarterly, 12 Day Pre-Primary, and September Monthly Reports for the Administrative Fines Program; and send the appropriate letter.

(Continued)

4025-052-50-12

Federal Election Commission
Certification for AF #83
December 15, 2000

Page 2

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

Attest:

December 15, 2000
Date

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

Received in the Secretariat: Mon., Dec. 11, 2000 9:26 a.m.
Circulated to the Commission: Mon., Dec. 11, 2000 11:00 a.m.
Deadline for vote: Thurs., Dec. 14, 2000 4:00 p.m.

lrd

2000.12.15.09.25.00.12

**WESTERN
UNION**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: RAYNEL L TROTMAN
CLARKE 2000
260 MIDWOOD ST
BROOKLYN NY 11225-5408

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

DECEMBER 21, 2000

RAYNEL L TROTMAN
CLARKE 2000
260 MIDWOOD STREET
BROOKLYN NY 11225

C00343848
AF# 83

DEAR RAYNEL L TROTMAN,

ON 10/17/2000, THE FEDERAL ELECTION COMMISSION ("THE COMMISSION") FOUND REASON TO BELIEVE ("RTB") THAT CLARKE 2000 AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO FILE THE 2000 12 DAY PRE-PRIMARY REPORT. BY MAILGRAM DATED 10/19/2000, THE COMMISSION SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT RTB OF \$3000.00 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43. WITHIN 40 DAYS OF THE COMMISSION'S RTB FINDING, YOU WERE REQUIRED TO EITHER TRANSMIT PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE CHALLENGING EITHER THE RTB FINDING OR THE CALCULATED CIVIL MONEY PENALTY. YOU MUST ALSO FILE THE 2000 12 DAY PRE-PRIMARY REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE COMMISSION DID NOT RECEIVE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR YOUR WRITTEN RESPONSE WITHIN THE TIME PERMITTED. THEREFORE, THE COMMISSION MADE A FINAL DETERMINATION ON 12/15/2000 THAT YOU, AS TREASURER, AND CLARKE 2000 VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$3000.00 IN ACCORDANCE WITH 11 C.F.R. 111.43. THE CIVIL MONEY PENALTY IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: ELECTION SENSITIVE

LEVEL OF ACTIVITY*: \$71861

NUMBER OF DAYS LATE: NOT FILED

NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 0

*IF THE REPORT WAS NOT RECEIVED, THE LEVEL OF ACTIVITY
WAS ESTIMATED USING TOTAL RECEIPTS AND DISBURSEMENTS FOR

00336983800013

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

THE CURRENT 2-YEAR ELECTION CYCLE (OR PRIOR CYCLE, IF NO REPORTS WERE FILED THIS CYCLE) DIVIDED BY THE NUMBER OF REPORTS FILED.

TO PAY THE CIVIL MONEY PENALTY

TO PAY THE CIVIL MONEY PENALTY, SEND THE ENCLOSED FORM AND YOUR PAYMENT TO THE ADDRESS ON PAGE 3 WITHIN 30 DAYS OF RECEIPT OF THIS LETTER.

IF YOU DO NOT PAY THE CIVIL MONEY PENALTY

UNPAID CIVIL MONEY PENALTIES ASSESSED THROUGH THE ADMINISTRATIVE FINE REGULATIONS WILL BE SUBJECT TO THE DEBT COLLECTION ACT OF 1982 ("DCA"), AS AMENDED BY THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 ("DCIA"), 31 U.S.C. 3701 ET SEQ. IF YOU DO NOT PAY THIS DEBT WITHIN 30 DAYS (OR FILE A WRITTEN PETITION TO A FEDERAL DISTRICT COURT - SEE BELOW), THE COMMISSION WILL TRANSFER THE DEBT TO THE U.S. DEPARTMENT OF THE TREASURY ("TREASURY") FOR COLLECTION. WITHIN 5 DAYS OF ITS TRANSFER TO TREASURY, TREASURY WILL CONTACT THE DEBTOR AND REQUEST PAYMENT. TREASURY CURRENTLY CHARGES A FEE OF 18% OF THE CIVIL MONEY PENALTY FOR ITS COLLECTION SERVICES. THE FEE WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY THAT YOU OWE. SHOULD TREASURY'S ATTEMPTS FAIL, TREASURY WILL TRANSFER THE DEBT TO A PRIVATE COLLECTION AGENCY ("PCA"). IF THE DEBT IS REFERRED TO A PCA, THE TREASURY AND PCA COLLECT A FEE OF 28% OF THE CIVIL MONEY PENALTY AMOUNT WHICH WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY. IF THE DEBT REMAINS UNPAID, TREASURY MAY RECOMMEND THAT THE COMMISSION REFER THE MATTER TO THE DEPARTMENT OF JUSTICE FOR LITIGATION.

IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION OR CIVIL MONEY PENALTY

IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION, YOU SHOULD SUBMIT A WRITTEN PETITION, WITHIN 30 DAYS OF RECEIPT OF THIS LETTER, TO THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT IN WHICH THE COMMITTEE OR YOU RESIDE, OR TRANSACT BUSINESS, REQUESTING THAT THE FINAL DETERMINATION BE MODIFIED OR SET ASIDE. SEE 2 U.S.C. 437G(A)(4)(C)(III). YOUR FAILURE TO RAISE AN ARGUMENT IN A TIMELY FASHION DURING THE ADMINISTRATIVE PROCESS SHALL BE DEEMED A WAIVER OF THE RESPONDENT'S RIGHT TO PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2 U.S.C. 437G. 11 C.F.R. 111.38.

THE CONFIDENTIALITY PROVISIONS AT 2 U.S.C. 437G(A)(12) NO LONGER APPLY AND THIS MATTER IS NOW PUBLIC. THE FILE WILL BE MADE A PART OF THE PUBLIC RECORD PURSUANT TO 11 C.F.R. 111.42(B). ALTHOUGH THE COMPLETE FILE MUST BE PLACED ON THE PUBLIC RECORD WITHIN 30 DAYS FROM THE DATE OF THE COMMISSION'S NOTIFICATION, THIS MAY 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 JOHN G. MUCKLE AT FEDERAL ELECTION COMMISSION, 999 E ST., NW, WASHINGTON, DC 20463, OR OUR TOLL FREE NUMBER (800)424-9530 (PRESS 1, THEN PRESS 2) OR (202)694-1130.

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

SINCERELY,

DARRYL WOLD
CHAIRMAN

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R.
111.43, THE CIVIL MONEY PENALTY IS \$3000.00 FOR THE
2000 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 952182
ST. LOUIS, MO 63195-2182

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

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

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR CLARKE 2000

FEC ID# C00343848

AF# 83

PAYMENT AMOUNT DUE \$3000.00

**WESTERN
UNION**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: RAYNEL L TROTMAN
CLARKE 2000
260 MIDWOOD ST
BROOKLYN NY 11225-5408

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

REMAIL

DECEMBER 21, 2000

RAYNEL L TROTMAN
CLARKE 2000
260 MIDWOOD STREET
BROOKLYN NY 11225

MAR 23 2001

C00343848
AF# 83

DEAR RAYNEL L TROTMAN,

ON 10/17/2000, THE FEDERAL ELECTION COMMISSION ("THE COMMISSION") FOUND REASON TO BELIEVE ("RTB") THAT CLARKE 2000 AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO FILE THE 2000 12 DAY PRE-PRIMARY REPORT. BY MAILGRAM DATED 10/19/2000, THE COMMISSION SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT RTB OF \$3000.00 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43. WITHIN 40 DAYS OF THE COMMISSION'S RTB FINDING, YOU WERE REQUIRED TO EITHER TRANSMIT PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE CHALLENGING EITHER THE RTB FINDING OR THE CALCULATED CIVIL MONEY PENALTY. YOU MUST ALSO FILE THE 2000 12 DAY PRE-PRIMARY REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE COMMISSION DID NOT RECEIVE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR YOUR WRITTEN RESPONSE WITHIN THE TIME PERMITTED. THEREFORE, THE COMMISSION MADE A FINAL DETERMINATION ON 12/15/2000 THAT YOU, AS TREASURER, AND CLARKE 2000 VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$3000.00 IN ACCORDANCE WITH 11 C.F.R. 111.43. THE CIVIL MONEY PENALTY IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: ELECTION SENSITIVE

LEVEL OF ACTIVITY*: \$71861

NUMBER OF DAYS LATE: NOT FILED

NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 0

*IF THE REPORT WAS NOT RECEIVED, THE LEVEL OF ACTIVITY
WAS ESTIMATED USING TOTAL RECEIPTS AND DISBURSEMENTS FOR

U.S. Postal Service Delivery Confirmation Receipt

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RAYNEL L TROTMAN
260 MIDWOOD STREET
BROOKLYN, NY 11225-5408

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CLARKE 2000

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(See Reverse)

PS Form 152, March 1999

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

THE CURRENT 2-YEAR ELECTION CYCLE (OR PRIOR CYCLE, IF NO REPORTS WERE FILED THIS CYCLE) DIVIDED BY THE NUMBER OF REPORTS FILED.

TO PAY THE CIVIL MONEY PENALTY

TO PAY THE CIVIL MONEY PENALTY, SEND THE ENCLOSED FORM AND YOUR PAYMENT TO THE ADDRESS ON PAGE 3 WITHIN 30 DAYS OF RECEIPT OF THIS LETTER.

IF YOU DO NOT PAY THE CIVIL MONEY PENALTY

UNPAID CIVIL MONEY PENALTIES ASSESSED THROUGH THE ADMINISTRATIVE FINE REGULATIONS WILL BE SUBJECT TO THE DEBT COLLECTION ACT OF 1982 ("DCA"), AS AMENDED BY THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 ("DCIA"), 31 U.S.C. 3701 ET SEQ. IF YOU DO NOT PAY THIS DEBT WITHIN 30 DAYS (OR FILE A WRITTEN PETITION TO A FEDERAL DISTRICT COURT - SEE BELOW), THE COMMISSION WILL TRANSFER THE DEBT TO THE U.S. DEPARTMENT OF THE TREASURY ("TREASURY") FOR COLLECTION. WITHIN 5 DAYS OF ITS TRANSFER TO TREASURY, TREASURY WILL CONTACT THE DEBTOR AND REQUEST PAYMENT. TREASURY CURRENTLY CHARGES A FEE OF 18% OF THE CIVIL MONEY PENALTY FOR ITS COLLECTION SERVICES. THE FEE WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY THAT YOU OWE. SHOULD TREASURY'S ATTEMPTS FAIL, TREASURY WILL TRANSFER THE DEBT TO A PRIVATE COLLECTION AGENCY ("PCA"). IF THE DEBT IS REFERRED TO A PCA, THE TREASURY AND PCA COLLECT A FEE OF 28% OF THE CIVIL MONEY PENALTY AMOUNT WHICH WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY. IF THE DEBT REMAINS UNPAID, TREASURY MAY RECOMMEND THAT THE COMMISSION REFER THE MATTER TO THE DEPARTMENT OF JUSTICE FOR LITIGATION.

IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION OR CIVIL MONEY PENALTY

IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION, YOU SHOULD SUBMIT A WRITTEN PETITION, WITHIN 30 DAYS OF RECEIPT OF THIS LETTER, TO THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT IN WHICH THE COMMITTEE OR YOU RESIDE, OR TRANSACT BUSINESS, REQUESTING THAT THE FINAL DETERMINATION BE MODIFIED OR SET ASIDE. SEE 2 U.S.C. 437G(A)(4)(C)(III). YOUR FAILURE TO RAISE AN ARGUMENT IN A TIMELY FASHION DURING THE ADMINISTRATIVE PROCESS SHALL BE DEEMED A WAIVER OF THE RESPONDENT'S RIGHT TO PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2 U.S.C. 437G. 11 C.F.R. 111.38.

THE CONFIDENTIALITY PROVISIONS AT 2 U.S.C. 437G(A)(12) NO LONGER APPLY AND THIS MATTER IS NOW PUBLIC. THE FILE WILL BE MADE A PART OF THE PUBLIC RECORD PURSUANT TO 11 C.F.R. 111.42(B). ALTHOUGH THE COMPLETE FILE MUST BE PLACED ON THE PUBLIC RECORD WITHIN 30 DAYS FROM THE DATE OF THE COMMISSION'S NOTIFICATION, THIS MAY 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 JOHN G. MUCKLE AT FEDERAL ELECTION COMMISSION, 999 E ST., NW, WASHINGTON, DC 20463, OR OUR TOLL FREE NUMBER (800)424-9530 (PRESS 1, THEN PRESS 2) OR (202)694-1130.

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

SINCERELY,

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

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R.
111.43, THE CIVIL MONEY PENALTY IS \$3000.00 FOR THE
2000 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 952182
ST. LOUIS, MO 63195-2182

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

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

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR CLARKE 2000

FEC ID# C00343948

AF# 83

PAYMENT AMOUNT DUE \$3000.00

1122 0552 00 12


CERTIFICATION - DEBT COLLECTION

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

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

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

May 11, 2001
Date


Signature of Certifying Official
Print Name: Shawn Woodhead Werth
Title: Director, Office of Administrative Review
Agency: Federal Election Commission

THIS IS THE END OF ADMINSTRATIVE FINE CASE
83

DATE FILMED 5/16/01 CAMERA NO. 4

CAMERAMAN SES

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