

THIS IS THE BEGINNING OF ADMINSTRATIVE FINE CASE  
# 916

DATE FILMED 7-9-04 CAMERA NO. 3

CAMERAMAN JMO

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2003 APR 23 P 3: 58

April 23, 2003

**SENSITIVE**

MEMORANDUM

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON *JP*  
STAFF DIRECTOR

ROBERT J. COSTA *RC*  
DEPUTY STAFF DIRECTOR

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

SUBJECT: REASON TO BELIEVE RECOMMENDATION -  
12 DAY PRE-GENERAL AND 30 DAY POST-GENERAL  
REPORTS FOR THE ADMINISTRATIVE FINES  
PROGRAM

Attached are two lists of political committees and their treasurers who failed to file or timely file the 2002 12 Day Pre-General and/or the 2002 30 Day Post-General Reports in accordance with 2 U.S.C. 434(a). The 12 Day Pre-General list is comprised of unauthorized committees filing quarterly that made general election contributions or expenditures from October 1, 2002 through October 16, 2002. The 30 Day Post-General list is comprised of authorized committees whose candidates sought election in the November 5th General Election, as well as unauthorized committees filing either quarterly or monthly.

On September 30, 2002, Prior Notice was sent to the political committees and their treasurers, informing them that the 12 Day Pre-General Report was due on October 24, 2002 and should cover the period from October 1, 2002 through October 16, 2002. The same Prior Notice informed the committees that the 30 Day Post-General Report was due on December 5, 2002 and should cover the period

from October 17, 2002 to November 25, 2002 or from October 1, 2002 through November 25, 2002, if the 12 Day Pre-General Report was not required. On November 8, 2002, a reminder notice was sent to the committees.

The committees appearing on the 12 Day Pre-General Report list either filed the report more than five (5) days after the due date or failed to file the report prior to four (4) days before the General Election (considered a non-filed report). The committees appearing on the 30 Day Post-General Report list either failed to file the report, filed the report more than five (5) days after the due date or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with 11 C.F.R. 111.43, these committees should be assessed the civil money penalties included on the attached lists.

As noted above, this circulation includes unauthorized committees filing quarterly that failed to file or failed to timely file the 12 Day Pre-General Report. Unlike unauthorized committees that file on a monthly basis, a quarterly filer need only file this report if it made general election contributions or expenditures between the dates of October 1, 2002 and October 16, 2002. In order to accurately identify the committees for administrative fines purposes, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 12 Day Pre-General Report (12 Day Report) submitted by an unauthorized quarterly filer was reviewed to ensure that it disclosed general election contributions or expenditures made during the coverage dates of the report. Any report meeting this definition that was filed late is included in the list. Any report not disclosing general election contributions or expenditures during this period is not included in the list, as it is not a required filing.
- Every 30 Day Post-General Report (30 Day Report) submitted by an unauthorized quarterly filer that covered the period from October 1, 2002 through November 25, 2002 (56 days), was reviewed for activity which would have required the filing of a 12 Day Report. If our research indicated that the 12 Day Report was required, we utilized a two-step method to arrive at the estimated level of activity on which to base the fine amount. First, we found the per diem level of activity by dividing the total amount of activity on the report by 56 days; second, we multiplied that quotient by 16 days. If the same committee also failed to file the 30 Day Report in a timely manner, we based the 30 Day Report fine on the amount of the remaining level of activity. We arrived at this amount by subtracting the estimated level of activity for the 12 Day Report from the total amount of activity on the 30 Day Report. In these cases, the committees will appear on both lists and will be assessed a fine for

both the 12 Day and 30 Day Reports based on the estimated levels of activity described above.

- We discovered several instances of overlapping reporting periods which resulted in duplicate activity. This was most prevalent with unauthorized monthly filers that submitted monthly reports in addition to the 30 Day Reports. For example, a committee files its November Monthly Report on November 20, 2002, covering October 1, 2002 through October 31, 2002. It then files its 30 Day Report on January 4, 2003, thirty days late. Its 30 Day Report covers part of its previously-filed November Report (October 17 through October 31) which was actually filed before the due date of the 30 Day Report. In such instances, we excluded the amount of previously-disclosed activity and based the civil money penalty on the estimated level of per diem activity that was not disclosed timely. We applied this same logic where a monthly filer failed to file the 30 Day Report altogether, but filed monthly reports covering the activity of the 30 Day reporting period.
- Rather than filing a 12 Day Report or a 30 Day Report, some committees filed a Year End Report covering October 1, 2002 through December 31, 2002. Here, we based the fine on the estimated level of per diem activity occurring within the dates of the 12 Day Report, if required, and/or the 30 Day Report.
- In instances where committees used improper coverage dates which extended into the next reporting period, we excluded this activity before calculating the civil money penalty. For example, if a committee filed an October Quarterly Report but improperly extended the coverage period into the month of October, RAD excluded the estimated amount of per diem activity when calculating the fine amount for the 30 Day Report, because that portion of activity was timely reported.

### Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Reports 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 Reports.
2. Send the appropriate letters.

**12 DAY PRE-GENERAL REPORT**

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Reason to Believe Circulation Report  
2002 12 DAY PRE-GENERAL

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF00839	COUNTRYWIDE CREDIT INDUSTRIES INC PAC (COUNTRYWIDE PAC)		Sidney Lenz	10/31/2002	\$19,198	\$259,365	TX		Yes	1	\$406
AF00840	U.S. BANCORP POLITICAL PARTICIPATION PROGRAM		Michele G Johnson	10/31/2002	\$30,437	\$1,019,239	MN		Yes	0	\$650
AF00841	ACPAC ACA INTERNATIONAL POLITICAL ACTION COMMITTEE		THOMAS CIESLUKOWSKI	01/02/2003	\$7,600	\$191,704	MN		Yes	0	\$1,000
AF00842	AMERICAN ASSOCIATION OF PHYSICIAN SPECIALIST INC POLITICAL ACTION		STEPHEN A MONTES	11/26/2002	\$1,192 (est)	\$126,348	GA		Yes	0	\$1,000
AF00843	AMERICAN CENTURY CO INC POLITICAL ACTION CMTE (AKA AMERICAN CENTURY)		WILLIAM B BATES	12/05/2002	\$8,429	\$142,111	MO		Yes	0	\$1,000
AF00844	AMERICAN NURSERY AND LANDSCAPE ASSOCIATION - POLITICAL ACTION COM		Meredith, John Mr.	12/30/2002	\$14,650	\$213,894	DC		Yes	0	\$1,000
AF00845	AMERICAN SOCIETY OF CATARACT & REFRACTIVE SURGERY POLITICAL ACTION		BERNARD J DELLARIO	11/18/2002	\$7,250	\$156,389	VA		Yes	1	\$1,250
AF00846	AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION POLITICAL ACTION COM		FREDERICK T SPAHR	01/21/2003	\$19,936 (est)	\$411,408	MD		Yes	0	\$1,000
AF00847	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)		IRA LAMEL	01/31/2003	\$14,551 (est)	\$195,947	NY		Yes	1	\$1,250
AF00848	CABLEVISION SYSTEMS CORPORATION POLITICAL ACTION COMMITTEE		SHEILA MAHONY	01/02/2003	\$15,029 (est)	\$352,186	NY		Yes	0	\$1,000

Committee	Name	State	Year	Amount	Yes	No	Total
AF00849 COLONIAL BANCGROUP INC FEDERAL POLITICAL ACTION COMMITTEE (COLONI	GLENDIA ALLRED	AL	11/01/2002	\$2,745	Yes	0	\$1,000
AF00850 CONGRESSIONAL BLACK CAUCUS POLITICAL ACTION COMMITTEE(CBC-PAC)	Arthur R. Collins	DC	12/06/2002	\$35,359	Yes	1	\$2,500
AF00851 DAVITA PAC	Udicious, Steven	CA	11/22/2002	\$4,250	Yes	0	\$1,000
AF00852 DEWEY BALLANTINE LLP POLITICAL ACTION COMMITTEE	Dowley, Joseph Mr.	DC	12/09/2002	\$2,002	Yes	0	\$1,000
AF00853 DORSEY NATIONAL FUND	SCOTT COTIE	MN	11/22/2002	\$3,000	Yes	1	\$1,250
AF00854 FLORIDA SUGAR CANE LEAGUE PAC	Yancey III, F. D.	DC	01/09/2003	\$500	Yes	3	\$1,750
AF00855 FOREST LANDOWNERS ASSOCIATION INC. POLITICAL ACTION COMMITTEE	Sumner, Robert D.	GA	11/01/2002	\$11,800	Yes	0	\$1,000
AF00856 GLASS, MOLDERS, POTTERY, PLASTICS & ALLIED WORKERS INTERNATIONAL	JOSEPH MITCHELL, SR.	PA	11/20/2002	\$4,195	Yes	0	\$1,000
AF00857 GOOD GOVERNMENT FOR AMERICA	Thomson, Gary Mr.	VA	12/04/2002	\$129,607	Yes	0	\$5,000
AF00858 HEARTLAND PAC FKA: YOUNGSTOWN	DAVID B. ORLEAN	OH	12/05/2002	\$5,571 (est)	Yes	0	\$1,000





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2002 12 DAY PRE-GENERAL

AF #	COMMITTEE NAME COMMITTEE ID RECEIPT DATE	TREASURER DAYS LATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	CANDIDATE NAME SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF00869	NATIONAL PROPANE GAS ASSOCIATION POLITICAL ACTION COMMITTEE -PROP DC C00079681 01/31/2003	Roldan, Richard Not Filed	\$7,400	\$178,241	Yes	0	\$1,000
AF00870	NEW JERSEY STATE CARPENTERS NON PARTISAN POLITICAL EDUCATION COMM NJ C00332593 12/05/2002	Patricia Mueller Not Filed	\$5,125	\$380,096	Yes	0	\$1,000
AF00871	SOCIETY OF THORACIC SURGEONS POLITICAL ACTION COMMITTEE; THE (STS DC C00325936 01/09/2003	ROBERT WILBUR Not Filed	\$11,000	\$203,000	Yes	1	\$1,250
AF00872	SOUTHERN STATES POLICE BENEVOLENT ASSOC PAC FUND C00265546 11/06/2002	JACK L ROBERTS Not Filed	\$16,065	\$323,240	Yes	0	\$1,000
AF00873	ST LOUISIANS FOR BETTER GOVERNMENT C00148155 11/05/2002	BERNARD PASTERNAK Not Filed	\$19,500	\$157,069	Yes	0	\$1,000
AF00874	THRIVENT FINANCIAL FOR LUTHERANS-EMPLOYEE POLITICAL ACTION COMMIT WI C00121319 11/08/2002	Marsha J. Mahan Not Filed	\$7,964	\$172,969	Yes	0	\$1,000
AF00875	UNITED ASSOC OF JOURNEYMEN & APPRENTICES/PLUMBING & PIPE FITTING MI C00232835 11/01/2002	RICHARD G FRANTZ Not Filed	\$16,095	\$145,449	Yes	0	\$1,000
AF00876	UNITED BROTHERHOOD OF CARPENTERS/JOINERS OF AMER NEW ENGLAND REG CT C00150045 12/05/2002	GLENN MARSHALL Not Filed	\$6,001 (est)	\$231,053	Yes	0	\$1,000
AF00877	UNITED STATES MARINE REPAIR INC POLITICAL ACTION COMMITTEE CA C00342170 12/03/2002	KENNETH BATSON Not Filed	\$19,160 (est)	\$368,365	Yes	0	\$1,000
AF00878	VOLUNTEER PAC C00341743 12/05/2002	Dawn Perkerson Not Filed	\$74,591 (est)	\$1,919,165	Yes	1	\$3,750

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AF00879	WHITE & CASE POLITICAL ACTION COMMITTEE	C00302059	OWEN J GAUVIN	Not Filed	12/08/2002	\$9,000	\$101,555	DC	Yes	0		\$1,000
AF00880	WOMEN'S PRO-ISRAEL NATIONAL POLITICAL ACTION COMMITTEE ("WIN PAC")	C00203182	JOYCE ULLMAN	Not Filed	12/16/2002	\$1,670 (est)	\$102,705	DC	Yes	0		\$1,000
AF00881	DEMOCRATIC PARTY OF ORANGE COUNTY FED PAC	C00321943	JAMES PANTONE	Not Filed	11/12/2002	\$9,039	\$254,650	CA	Yes	1		\$1,250
AF00882	NEW YORK STATE CONSERVATIVE PARTY	C00282343	GERARD KASSAR	Not Filed	11/22/2002	\$2,300	\$162,445	NY	Yes	2		\$1,500

## 30 DAY POST-GENERAL REPORT

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AF00883	LAWRENCE R WIESNER FOR CONGRESS	000368100	LAWRENCE R WIESNER	12/13/2002	\$7,690	\$151,598	CA	WIESNER, LAWRENCE R	0		\$300
AF00884	STRICKLAND FOR COLORADO INC	000368175	ALAN SCHWARTZ	12/12/2002	\$1,857,549	\$10,212,900	CO	STRICKLAND, THOMAS LEE	0		\$6,400
AF00886	COMMITTEE TO ELECT CLINTON B LESUEUR	000373811	LEE R BUSH	01/01/2003	\$46,215	\$145,345	MS	LESUEUR, CLINTON B	0		\$1,550
AF00887	COMMITTEE TO ELECT FRANK W BALLANCE JR	000372300	JOYCE L BULLOCK	12/13/2002	\$279,156	\$1,429,009	NC	BALLANCE, FRANK W JR	0		\$3,100
AF00888	MEL WATT FOR CONGRESS	000260604	BOBBY T MARTIN	12/15/2002	\$142,312	\$609,675	NC	WATT, MELVIN LUTHER	0		\$1,850
AF00889	FRIENDS OF JIM FARRIN	000379206	JULIAN H GINGOLD	12/23/2002	\$29,890	\$139,007	NY	FARRIN, JAMES	0		\$1,100
AF00890	BUCKLEY02	000375410	GREGORY J LAYTON	12/12/2002	\$23,546	\$137,111	OR	BUCKLEY, PETER	0		\$275
AF00891	ROB BISHOP FOR CONGRESS	000374231	CHRISTOPHER LARRY BROWN	01/02/2003	\$393,652	\$1,323,521	UT	BISHOP, ROBERT	0		\$7,600
AF00892	SYED MAHMOOD FOR CONGRESS	000374629	IMTIAZ AHMAD		\$25,227 (est)	\$101,108	CA	MAHMOOD, SYED R	0		\$1,800

Not Filed

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AF00893	COMMITTEE TO ELECT ROSS MOEN	C00371252	PHILIP M PARLETT	Not Filed	\$45,978	\$104,008	CA	MOEN, ROSS	No	0	\$1,800
AF00894	COMMITTEE TO ELECT MADELEINE Z BORDALLO 2002	C00369686	P JUNE TERLAJE	Not Filed	\$46,587	\$171,364	CA	BORDALLO, MADELEINE Z	No	0	\$1,800
AF00895	COMMITTEE TO ELECT KUTSCH	C00374553	MICHAEL J KOLAN	Not Filed	\$38,963 (est)	\$116,690	IL	KUTSCH, JOHN	No	0	\$1,800
AF00897	JOE FINLEY FOR CONGRESS	C00378596	SAL PERROTTA	Not Filed	\$55,129	\$243,797	NY	FINLEY, JOSEPH P	No	0	\$2,700
AF00898	AMERICANS FOR COMMON SENSE GOVERNMENT	C00379057	JOHN A MARSANISI	20	\$80,348	\$181,611	NY	No	No	0	\$2,400
AF00899	BUILD AMERICA PAC	C00377143	JOAN FLOWERS	15	\$10,000	\$104,872	NY	No	No	0	\$475
AF00900	FUND FOR A BETTER FUTURE	C00372755	STEPHEN J KAUFMAN	29	\$4,011	\$331,571	CA	No	No	0	\$825
AF00901	PRAIRIE LEADERSHIP COMMITTEE	C00351049	PAM TERRELL	6	\$15,163	\$138,208	DC	No	No	3	\$437
AF00902	SUMMIT PAC	C00382333	JOHN DOUGLAS HARDESTY JR	13	\$258,239	\$212,000	DC	No	No	0	\$4,100

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AF00903	WHITE MOUNTAIN PAC	C00370932	H SCOTT FLEGAL	12/30/2002	25	\$186,327	\$187,024	RI		No	0	\$4,550
AF00904	3M COMPANY	C00084475	Karen K. Martodam	12/17/2002	12	\$8,285 (est)	\$341,311	MN		No	0	\$400
AF00905	ACPAC ACA INTERNATIONAL POLITICAL ACTION COMMITTEE	C00034785	THOMAS CIESLUKOWSKI	01/02/2003	28	\$84,770	\$276,474	MN		No	0	\$3,200
AF00906	AMERICAN NURSERY AND LANDSCAPE ASSOCIATION - POLITICAL ACTION COM	C00022988	Meredith, John Mr.	12/30/2002	25	\$6,560 (est)	\$222,094	DC		No	1	\$906
AF00907	CABLEVISION SYSTEMS CORPORATION POLITICAL ACTION COMMITTEE	C00197863	SHEILA MAHONY	01/02/2003	28	\$37,571 (est)	\$429,326	NY		No	0	\$1,600
AF00908	CAMPAIGN FOR U N REFORM POLITICAL ACTION COMMITTEE	C00043992	HOWARD L TAYLOR	01/03/2003	29	\$8,524	\$110,971	OH		No	0	\$825
AF00909	DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP POLITICAL ACTION COMMITTEE	C00110197	L ANDREW ZAUSNER	12/12/2002	7	\$10,287	\$276,186	DC		No	0	\$275
AF00910	GAY AND LESBIAN VICTORY FUND	C00251835	Wolfe, Charles A.	12/13/2002	8	\$328,615	\$5,773,779	DC		No	0	\$3,100
AF00911	KPAC	C00365551	JILL MELLINGER	01/01/2003	27	\$92,732	\$1,280,076	TX		No	0	\$3,100
AF00912	NATIONAL BANK OF COMMERCE COMMITTEE ON POLITICAL AFFAIRS	C00095786	CHARLES A NEALE	12/27/2002	22	\$5,978	\$101,429	TN		No	0	\$650

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AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF00913	NEWSTAR PAC (FKA NEW CENTURY FEDERAL PAC; THE	C00325860	J KAREN BUTLER	12/31/2002	26	\$13,028	\$105,844	IL	No	0		\$750
AF00914	OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION-VOICE OF TH	C00007898	Wohlforth, Nancy	12/11/2002	6	\$7,306	\$491,292	DC	No	1		\$312
AF00915	OFFICE OF THE COMMISSIONER OF MAJOR LEAGUE BASEBALL POLITICAL ACT	C00368142	Schweitzer, William	12/17/2002	12	\$2,083 (est)	\$336,528	DC	No	0		\$400
AF00916	PLUMBERS UNION LOCAL 690... PLUMBING & PIPE FITTING IND US & CAN LO	C00252825	EDWARD C KEENAN	01/02/2003	28	\$58,678	\$455,368	PA	No	0		\$2,400
AF00917	PRAIRIE POLITICAL ACTION COMMITTEE	C00347195	MICHAEL EDWARD DALY	12/12/2002	7	\$34,250	\$299,458	IL	No	0		\$550
AF00918	SALEM COMMUNICATIONS CORPORATION POLITICAL ACTION COMMITTEE	C00321158	RUSSELL R HAUTH	12/23/2002	18	\$38,912	\$136,312	CA	No	0		\$1,100
AF00919	SALTCHUK RESOURCES INC POLITICAL ACTION COMMITTEE (AKA SALTCHUK P	C00166512	ALAN A BUTCHMAN	01/03/2003	29	\$8,799	\$189,309	WA	No	0		\$825
AF00920	SELECT MILK PRODUCERS PAC	C00375030	RANCE MILES	12/31/2002	26	\$72,211	\$118,873	NM	No	0		\$2,250
AF00921	SHEET METAL WORKERS INTERNATIONAL ASSOCIATION LOCAL 28 POLITICAL	C00169490	FRED AMATO	12/30/2002	25	\$51,884	\$530,125	NY	No	0		\$2,175
AF00922	SHEET METAL WORKERS LOCAL 100 POLITICAL ACTION COMMITTEE (100 PAC	C00189266	ROBERT A WALTER	12/26/2002	21	\$10,028	\$115,359	MD	No	0		\$625

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AF00923	UNITED ASSOC OF JOURNEMEN & APPRENTICES/PLUMBING & PIPE FITTING MI	C00232835	RICHARD G FRANTZ	15	\$7,236 (est)	\$154,404	MI	No	0			\$475
AF00924	UNITED EMP PAC, CENTRAL LOUISIANA ELECTRIC CO INC	C00165878	MELISSA HENRY	8	\$13,090	\$220,508	LA	No	0			\$300
AF00925	WOMEN'S PRO-ISRAEL NATIONAL POLITICAL ACTION COMMITTEE ("WIN PAC") NC	C00203182	JOYCE ULLMAN	11	\$4,175 (est)	\$106,854	NC	No	0			\$375
AF00927	LOUISVILLE & JEFFERSON COUNTY REPUBLICAN EXECUTIVE COMMITTEE	C00015594	Bachelder, Chris	18	\$145,812	\$249,019	KY	No	0			\$2,850
AF00928	MISSISSIPPI DEMOCRATIC PARTY POLITICAL ACTION COMMITTEE	C00149641	Seale, Audrey Mrs.	26	\$392,808	\$950,749	MS	No	0			\$7,200
AF00929	BRICKLAYERS AND ALLIED CRAFTWORKERS LOCAL NO 3 NEW YORK NIAGARA F NY	C00373423	DANIEL ROSE	Not Filed	\$9,262	\$126,053	NY	No	0			\$900
AF00931	NATIONAL ITALIAN AMERICAN POLITICAL ACTION COMMITTEE	C00355388	VINCENT M LASORSA CPA MBA	Not Filed	\$26,141 (est)	\$104,565	PA	No	4			\$3,600
AF00932	PATRIOT PAC	C00364422	Mullen, Audrey	Not Filed	\$20,606 (est)	\$581,781	DC	No	2			\$1,350



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AF00933	S C JOHNSON & SON INC POLITICAL ACTION COMMITTEE (SCJPAC)		WILLIAM H VAN LOPIK	Not Filed	\$11,250	\$142,056	WI	No	No	0	\$900
AF00934	AMERICAN BAKERS ASSOCIATION BREAD POLITICAL ACTION COMMITTEE		PAUL C ABENANKE	Not Filed	\$7,100	\$126,177	DC	No	No	0	\$900
AF00935	AMERICAN FURNITURE MANUFACTURERS ASSOCIATION POLITICAL ACTION COM		MR RUSSELL B BATSON	Not Filed	\$10,365	\$160,819	DC	No	No	0	\$900
AF00936	AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION POLITICAL ACTION COM		FREDERICK T SPANR	Not Filed	\$49,841 (est)	\$460,949	MD	No	No	0	\$1,800
AF00937	BANK OF NEW YORK COMPANY POLITICAL ACTION COMMITTEE-BNY PAC		MR THOMAS J MASTRO	Not Filed	\$46,937 (est)	\$119,715	NY	No	No	0	\$1,800
AF00938	BANKERS UNITE IN LEGISLATIVE DECISIONS AKA BUILD (FKA IOWA BANKER		JOHN SORESENSEN	Not Filed	\$1,010	\$101,958	IA	No	No	0	\$900
AF00939	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)		IRA LAMEL	Not Filed	\$36,376 (est)	\$231,705	NY	No	No	1	\$2,250
AF00940	BIG TENT PAC; THE		MS SYLVIA L NOLDE	Not Filed	\$11,529	\$127,529	VA	No	No	0	\$900
AF00942	DISTILLED SPIRITS COUNCIL OF THE UNITED STATES INC POLITICAL ACTI		MS MICHELE FAMIGLIETTI	Not Filed	\$46,123	\$168,191	DC	No	No	2	\$2,700

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2002 30 DAY POST-GENERAL

AF #	COMMITTEE NAME		LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME		PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
	COMMITTEE ID	TREASURER				SENSITIVE	PREVIOUS VIOLATIONS		
	RECEIPT DATE	DAYS LATE							
AF00943	ELECT LIFE				NY				
	C00339481	MR JOHN MAWN	\$971,714 (est)	\$3,886,856		No	0		\$12,000
	Not Filed								
AF00944	FLORIDA ROCK INDUSTRIES INC GOOD GOVERNMENT COMMITTEE				FL				
	C00125716	JOHN D MILTON JR	\$3,267	\$103,346		No	0		\$900
	03/10/2003	Not Filed							
AF00945	FLORIDA SUGAR CANE LEAGUE PAC				DC				
	C00012328	Yancey III, F. D.	\$4,510	\$304,290		No	3		\$1,575
	01/09/2003	Not Filed							
AF00946	INDIANA DENTAL PAC				IN				
	C00082636	RAYMOND M MADDOX	\$1,231 (est)	\$120,611		No	1		\$1,125
	01/31/2003	Not Filed							
AF00947	IUCE LOCAL 542 OPERATING ENGINEERS POLITICAL ACTION FUND				PA				
	C00136739	ROBERT T HEENAN	\$24,088	\$264,577		No	1		\$1,125
	01/07/2003	Not Filed							
AF00948	KEYSPAN ENERGY POLITICAL ACTION COMMITTEE (KEYPAC)				NY				
	C00343988	Carr, Ed Mr.	\$22,268	\$136,410		No	0		\$900
	01/31/2003	Not Filed							
AF00949	LABORER'S INTERNATIONAL UNION OF NO AMERICA LOCAL NO 17 POLITICAL				NY				
	C00233049	JOSEPH R LIBONATI	\$4,341	\$168,079		No	0		\$900
	01/30/2003	Not Filed							
AF00950	LOCAL 617 COPE COMMITTEE				NJ				
	C00305227	MINNIE MCELROY	\$42,224 (est)	\$147,083		No	0		\$1,800
	Not Filed								
AF00951	MARYLAND ASSOCIATION FOR CONCERNED CITIZENS POLITICAL ACTION				MD				
	C00195024	MR JAMES BERG	\$2,810 (est)	\$108,376		No	0		\$900
	Not Filed								
AF00952	NATIONAL PROPANE GAS ASSOCIATION POLITICAL ACTION COMMITTEE -PROP				DC				
	C00079681	Roldan, Richard	\$102,337	\$280,178		No	0		\$4,500
	01/31/2003	Not Filed							

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DATE 04/23/2003  
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AF #	COMMITTEE NAME	COMMITTEE ID	RECEIPT DATE	COMMITTEE NAME	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
	RECEIPT DATE	COMMITTEE ID	COMMITTEE NAME	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY	
AF00953	OLD NATIONAL BANK IN EVANSVILLE OLBANK PAC				IN					
	C00165282	Dan Sauls		\$125,065			No	0		\$900
	01/14/2003	Not Filed		\$18,263						
AF00954	POLITICAL ACTION COMMITTEE OF FOCAL COMMUNICATIONS CORPORATION				IL					
	C00360719	ROBERT M JUNKROSKI		\$149,574			No	0		\$1,800
	Not Filed			\$29,914 (est)						
AF00955	PRO - LIFE CAMPAIGN COMMITTEE				VA					
	C00355958	Gersten, Pablo		\$8,098,428			No	0		\$12,000
	02/10/2003	Not Filed		\$1,309,358						
AF00956	REPUBLICANS FOR CHOICE				VA					
	C00241083	ANN E W STONE		\$1,234,678			No	0		\$4,500
	Not Filed			\$102,906 (est)						
AF00957	SUPPORTERS OF ENGINEERS LOCAL 3 ENDORSED CANDIDATES (SELEC)				CA					
	C00024422	GARLAND ROSAURO		\$132,455			No	0		\$900
	01/13/2003	Not Filed		\$7,052						
AF00958	TECO ENERGY INC EMPLOYEES' PAC				FL					
	C00161422	ROBIN J HASTINGS		\$168,840			No	1		\$1,125
	Not Filed			\$18,340						
AF00959	THELEN REID & PRIEST POLITICAL ACTION COMMITTEE				DC					
	C00248641	WILLIAM A KIRK		\$157,299			No	0		\$900
	Not Filed			\$16,398						
AF00960	15TH DISTRICT DEMOCRATIC PARTY				MI					
	C00362772	PATRICIA A FEDEWA		\$309,631			No	0		\$1,800
	03/26/2003	Not Filed		\$40,027						
AF00961	MINNESOTA DFL HOUSE CAUCUS				MN					
	C00361139	PAUL ROGOSHESKE		\$870,717			No	0		\$4,500
	03/03/2003	Not Filed		\$127,176 (est)						
AF00962	RHODE ISLAND REPUBLICAN STATE CENTRAL COMMITTEE				RI					
	C00078196	Drew, Merrill C.		\$975,530			No	2		\$15,000
	02/13/2003	Not Filed		\$637,097 (est)						

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Reason To Believe Recommendation - 30 )

Day Post-General Report For The )

Administrative Fines Program: )

LAWRENCE R WIESNER FOR CONGRESS ) AF# 883

COMMITTEE, and LAWRENCE R WIESNER as )

treasurer; )

STRICKLAND FOR COLORADO INC, and ALAN ) AF# 884

SCHWARTZ as treasurer; )

COMMITTEE TO ELECT CLINTON B LESUEUR, ) AF# 886

and LEE R BUSH as treasurer; )

COMMITTEE TO ELECT FRANK W BALLANCE ) AF# 887

JR, and JOYCE L BULLOCK as treasurer; )

MEL WATT FOR CONGRESS COMMITTEE, and ) AF# 888

BOBBY T MARTIN as treasurer; )

FRIENDS OF JIM FARRIN, and JULIAN H ) AF# 889

GINGOLD as treasurer; )

BUCKLEY02, and GREGORY J LAYTON as ) AF# 890

treasurer; )

ROB BISHOP FOR CONGRESS, and ) AF# 891

CHRISTOPHER LARRY BROWN as treasurer; )

SYED MAHMOOD FOR CONGRESS, and IMTIAZ ) AF# 892

AHMAD as treasurer; )

COMMITTEE TO ELECT ROSS MOEN, and ) AF# 893

PHILIP M PARLETT as treasurer; )

COMMITTEE TO ELECT MADELEINE Z ) AF# 894

BORDALLO 2002, and P JUNE TERLAJE as )

treasurer; )

COMMITTEE TO ELECT KUTSCH, and MICHAEL ) AF# 895

J KOLAN as treasurer; )

JOE FINLEY FOR CONGRESS, and SAL ) AF# 897

PERROTTA as treasurer; )

AMERICANS FOR COMMON SENSE GOVERNMENT, ) AF# 898

and JOHN A MARSALISI as treasurer; )

BUILD AMERICA PAC, and JOAN FLOWERS as ) AF# 899

treasurer; )

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FUND FOR A BETTER FUTURE, and STEPHEN J KAUFMAN as treasurer;	)	AF# 900
PRAIRIE LEADERSHIP COMMITTEE, and PAM TERRELL as treasurer;	)	AF# 901
SUMMIT PAC, and JOHN DOUGLAS HARDESTY JR as treasurer;	)	AF# 902
WHITE MOUNTAIN PAC, and H SCOTT FLEGAL as treasurer;	)	AF# 903
3M COMPANY, and Karen K. Martodam as treasurer;	)	AF# 904
ACPAC ACA INTERNATIONAL POLITICAL ACTION COMMITTEE, and THOMAS CIESLUKOWSKI as treasurer;	)	AF# 905
AMERICAN NURSERY AND LANDSCAPE ASSOCIATION - POLITICAL ACTION COMMITTEE, and Meredith, John Mr. as treasurer;	)	AF# 906
CABLEVISION SYSTEMS CORPORATION POLITICAL ACTION COMMITTEE, and SHEILA MAHONY as treasurer;	)	AF# 907
CAMPAIGN FOR U N REFORM POLITICAL ACTION COMMITTEE, and HOWARD L TAYLOR as treasurer;	)	AF# 908
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP POLITICAL ACTION COMMITTEE ("DSMO PAC"), and L ANDREW ZAUSNER as treasurer;	)	AF# 909
GAY AND LESBIAN VICTORY FUND, and Wolfe, Charles A. as treasurer;	)	AF# 910
KPAC, and JILL MELLINGER as treasurer;	)	AF# 911
NATIONAL BANK OF COMMERCE COMMITTEE ON POLITICAL AFFAIRS, and CHARLES A NEALE as treasurer;	)	AF# 912
NEWSTAR PAC (FKA NEW CENTURY FEDERAL PAC; THE, and J KAREN BUTLER as treasurer;	)	AF# 913
OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION-VOICE OF THE ELECTORATE, and Wohlforth, Nancy as treasurer;	)	AF# 914

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OFFICE OF THE COMMISSIONER OF MAJOR ) AF# 915  
LEAGUE BASEBALL POLITICAL ACTION )  
COMMITTEE, and Schweitzer, William as )  
treasurer; )  
PLUMBERS UNION LOCAL 690..PLUMBING & ) AF# 916  
PIPE FITTING IND US & CAN LOCAL )  
ELECTION POL ACT FUND, and EDWARD C )  
KEENAN as treasurer; )  
PRAIRIE POLITICAL ACTION COMMITTEE, ) AF# 917  
and MICHAEL EDWARD DALY as treasurer; )  
SALEM COMMUNICATIONS CORPORATION ) AF# 918  
POLITICAL ACTION COMMITTEE, and )  
RUSSELL R HAUTH as treasurer; )  
SALTCHUK RESOURCES INC POLITICAL ) AF# 919  
ACTION COMMITTEE (AKA SALTCHUK PAC), )  
and ALAN A BUTCHMAN as treasurer; )  
SELECT MILK PRODUCERS PAC, and RANCE ) AF# 920  
MILES as treasurer; )  
SHEET METAL WORKERS INTERNATIONAL ) AF# 921  
ASSOCIATION LOCAL 28 POLITICAL ACTION )  
COMMITTEE, and FRED AMATO as )  
treasurer; )  
SHEET METAL WORKERS LOCAL 100 ) AF# 922  
POLITICAL ACTION COMMITTEE (100 PAC), )  
and ROBERT A WALTER as treasurer; )  
UNITED ASSOC OF JOURNEYMEN & ) AF# 923  
APPRENTICES/PLUMBING & PIPE FITTING )  
INDUSTRY LOCAL UNION 335 , and RICHARD )  
G FRANTZ as treasurer; )  
UNITED EMP PAC, CENTRAL LOUISIANA ) AF# 924  
ELECTRIC CO INC, and MELISSA HENRY as )  
treasurer; )  
WOMEN'S PRO-ISRAEL NATIONAL POLITICAL ) AF# 925  
ACTION COMMITTEE ("WIN PAC"), and )  
JOYCE ULLMAN as treasurer; )

LOUISVILLE & JEFFERSON COUNTY ) AF# 927  
REPUBLICAN EXECUTIVE COMMITTEE, and )

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Bachelder, Chris as treasurer;	)	
MISSISSIPPI DEMOCRATIC PARTY POLITICAL	)	AF# 928
ACTION COMMITTEE, and Seale, Audrey	)	
Mrs. as treasurer;	)	
BRICKLAYERS AND ALLIED CRAFTWORKERS	)	AF# 929
LOCAL NO 3 NEW YORK NIAGARA	)	
FALLS/BUFFALO CHAPTER PAC , and DANIEL	)	
ROSE as treasurer;	)	
NATIONAL ITALIAN AMERICAN POLITICAL	)	AF# 931
ACTION COMMITTEE, and VINCENT M	)	
LASORSA CPA MBA as treasurer;	)	
PATRIOT PAC, and Mullen, Audrey as	)	AF# 932
treasurer;	)	
S C JOHNSON & SON INC POLITICAL ACTION	)	AF# 933
COMMITTEE (SCJPAC), and WILLIAM H VAN	)	
LOPIK as treasurer;	)	
AMERICAN BAKERS ASSOCIATION BREAD	)	AF# 934
POLITICAL ACTION COMMITTEE, and PAUL C	)	
ABENANTE as treasurer;	)	
AMERICAN FURNITURE MANUFACTURERS	)	AF# 935
ASSOCIATION POLITICAL ACTION	)	
COMMITTEE, and MR RUSSELL B BATSON as	)	
treasurer;	)	
AMERICAN SPEECH-LANGUAGE-HEARING	)	AF# 936
ASSOCIATION POLITICAL ACTION	)	
COMMITTEE, and FREDERICK T SPAHR as	)	
treasurer;	)	
BANK OF NEW YORK COMPANY POLITICAL	)	AF# 937
ACTION COMMITTEE-BNY PAC, and MR	)	
THOMAS J MASTRO as treasurer;	)	
BANKERS UNITE IN LEGISLATIVE DECISIONS	)	AF# 938
AKA BUILD (FKA IOWA BANKERS ASSOC),	)	
and JOHN SORENSEN as treasurer;	)	
BI-COUNTY POLITICAL ACTION COMMITTEE	)	AF# 939
(FKA SUFFOLK PAC), and IRA LAMEL as	)	
treasurer;	)	
BIG TENT PAC;THE, and MS SYLVIA L	)	AF# 940
NOLDE as treasurer;	)	

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DISTILLED SPIRITS COUNCIL OF THE ) AF# 942  
UNITED STATES INC POLITICAL ACTION )  
COMMITTEE, and MS MICHELE FAMIGLIETTI )  
as treasurer; )  
ELECT LIFE, and MR JOHN MAWN as ) AF# 943  
treasurer; )  
FLORIDA ROCK INDUSTRIES INC GOOD ) AF# 944  
GOVERNMENT COMMITTEE, and JOHN D )  
MILTON JR as treasurer; )  
FLORIDA SUGAR CANE LEAGUE PAC, and ) AF# 945  
Yancey III, F. D. as treasurer; )  
INDIANA DENTAL PAC, and RAYMOND M ) AF# 946  
MADDOX as treasurer; )  
IUOE LOCAL 542 OPERATING ENGINEERS ) AF# 947  
POLITICAL ACTION FUND, and ROBERT T )  
HEENAN as treasurer; )  
KEYSPAN ENERGY POLITICAL ACTION ) AF# 948  
COMMITTEE (KEYPAC), and Carr, Ed Mr. )  
as treasurer; )  
LABORER'S INTERNATIONAL UNION OF NO ) AF# 949  
AMERICA LOCAL NO 17 POLITICAL LEAGUE, )  
and JOSEPH R LIBONATI as treasurer; )  
LOCAL 617 COPE COMMITTEE, and MINNIE ) AF# 950  
MCELROY as treasurer; )  
MARYLAND ASSOCIATION FOR CONCERNED ) AF# 951  
CITIZENS POLITICAL ACTION COMMITTEE, )  
and MR JAMES BERG as treasurer; )  
NATIONAL PROPANE GAS ASSOCIATION ) AF# 952  
POLITICAL ACTION COMMITTEE )  
-PROPANEPAC, and Roldan, Richard as )  
treasurer; )  
OLD NATIONAL BANK IN EVANSVILLE OLBANK ) AF# 953  
PAC, and Dan Sauls as treasurer; )  
POLITICAL ACTION COMMITTEE OF FOCAL ) AF# 954  
COMMUNICATIONS CORPORATION, and ROBERT )  
M JUNKROSKI as treasurer; )  
PRO - LIFE CAMPAIGN COMMITTEE, and ) AF# 955



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Gersten, Pablo as treasurer;	)	
REPUBLICANS FOR CHOICE, and ANN E W	)	AF# 956
STONE as treasurer;	)	
SUPPORTERS OF ENGINEERS LOCAL 3	)	AF# 957
ENDORSED CANDIDATES (SELEC), and	)	
GARLAND ROSAURO as treasurer;	)	
TECO ENERGY INC EMPLOYEES' PAC, and	)	AF# 958
ROBIN J HASTINGS as treasurer;	)	
THELEN REID & PRIEST POLITICAL ACTION	)	AF# 959
COMMITTEE, and WILLIAM A KIRK as	)	
treasurer;	)	
15TH DISTRICT DEMOCRATIC PARTY, and	)	AF# 960
PATRICIA A FEDEWA as treasurer;	)	
MINNESOTA DFL HOUSE CAUCUS, and PAUL	)	AF# 961
ROGOSHESKE as treasurer;	)	
RHODE ISLAND REPUBLICAN STATE CENTRAL	)	AF# 962
COMMITTEE, and Drew, Merrill C. as	)	
treasurer;	)	

CERTIFICATION

I, Mary W. Dove, Secretary for the Federal Election Commission, do hereby certify that on April 29, 2003, the Commission took the following actions on the Reason To Believe Recommendation - 30 Day Post-General Report for the Administrative Fines Program, as recommended in the Reports Analysis Division's Memorandum dated April 23, 2003, on the following committees:

AF# 883: Decided by a vote of 6-0 to: (1) reason to believe that LAWRENCE R WIESNER FOR CONGRESS COMMITTEE, and LAWRENCE R WIESNER as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 884: Decided by a vote of 6-0 to: (1) reason to believe that STRICKLAND FOR COLORADO INC, and ALAN SCHWARTZ as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF# 886: Decided by a vote of 6-0 to: (1) reason to believe that COMMITTEE TO ELECT CLINTON B LESUEUR, and LEE R BUSH as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 887: Decided by a vote of 6-0 to: (1) reason to believe that COMMITTEE TO ELECT FRANK W BALLANCE JR, and JOYCE L BULLOCK as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 888: Decided by a vote of 6-0 to: (1) reason to believe that MEL WATT FOR CONGRESS COMMITTEE, and BOBBY T MARTIN as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF# 889: Decided by a vote of 6-0 to: (1) reason to believe that FRIENDS OF JIM FARRIN, and JULIAN H GINGOLD as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 890: Decided by a vote of 6-0 to: (1) reason to believe that BUCKLEY02, and GREGORY J LAYTON as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 891: Decided by a vote of 6-0 to: (1) reason to believe that ROB BISHOP FOR CONGRESS, and CHRISTOPHER LARRY BROWN as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 892: Decided by a vote of 6-0 to: (1) reason to believe that SYED MAHMOOD FOR CONGRESS, and IMTIAZ AHMAD as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 893: Decided by a vote of 6-0 to: (1) reason to believe that COMMITTEE TO ELECT ROSS MOEN, and PHILIP M PARLETT as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the

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civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 894: Decided by a vote of 6-0 to: (1) reason to believe that COMMITTEE TO ELECT MADELEINE Z BORDALLO 2002, and P JUNE TERLAJE as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 895: Decided by a vote of 6-0 to: (1) reason to believe that COMMITTEE TO ELECT KUTSCH, and MICHAEL J KOLAN as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 897: Decided by a vote of 6-0 to: (1) reason to believe that JOE FINLEY FOR CONGRESS, and SAL PERROTTA as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner,

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and Weintraub voted affirmatively for the decision.  
AF# 898: Decided by a vote of 6-0 to: (1) reason to believe that AMERICANS FOR COMMON SENSE GOVERNMENT, and JOHN A MARSALISI as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 899: Decided by a vote of 6-0 to: (1) reason to believe that BUILD AMERICA PAC, and JOAN FLOWERS as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 900: Decided by a vote of 6-0 to: (1) reason to believe that FUND FOR A BETTER FUTURE, and STEPHEN J KAUFMAN as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 901: Decided by a vote of 6-0 to: (1) reason to believe that PRAIRIE LEADERSHIP COMMITTEE, and PAM TERRELL as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF# 902: Decided by a vote of 6-0 to: (1) reason to believe that SUMMIT PAC, and JOHN DOUGLAS HARDESTY JR as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 903: Decided by a vote of 6-0 to: (1) reason to believe that WHITE MOUNTAIN PAC, and H SCOTT FLEGAL as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 904: Decided by a vote of 6-0 to: (1) reason to believe that 3M COMPANY, and Karen K. Martodam as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 905: Decided by a vote of 6-0 to: (1) reason to believe that ACPAC ACA INTERNATIONAL POLITICAL ACTION COMMITTEE, and THOMAS CIESLUKOWSKI as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 906: Decided by a vote of 6-0 to: (1) reason to believe that AMERICAN NURSERY AND LANDSCAPE ASSOCIATION - POLITICAL ACTION COMMITTEE, and Meredith, John Mr. as treasurer, violated 2 U.S.C.

434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 907: Decided by a vote of 6-0 to: (1) reason to believe that CABLEVISION SYSTEMS CORPORATION POLITICAL ACTION COMMITTEE, and SHEILA MAHONY as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 908: Decided by a vote of 6-0 to: (1) reason to believe that CAMPAIGN FOR U N REFORM POLITICAL ACTION COMMITTEE, and HOWARD L TAYLOR as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 909: Decided by a vote of 6-0 to: (1) reason to believe that DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP POLITICAL ACTION COMMITTEE ("DSMO PAC"), and L ANDREW ZAUSNER as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 910: Decided by a vote of 6-0 to: (1) reason to believe that GAY AND LESBIAN VICTORY FUND, and Wolfe, Charles A. as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the



civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 911: Decided by a vote of 6-0 to: (1) reason to believe that KPAC, and JILL MELLINGER as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 912: Decided by a vote of 6-0 to: (1) reason to believe that NATIONAL BANK OF COMMERCE COMMITTEE ON POLITICAL AFFAIRS, and CHARLES A NEALE as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 913: Decided by a vote of 6-0 to: (1) reason to believe that NEWSTAR PAC (FKA NEW CENTURY FEDERAL PAC; THE, and J KAREN BUTLER as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 914: Decided by a vote of 6-0 to: (1) reason to believe that OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION-VOICE OF THE ELECTORATE, and Wohlforth, Nancy 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

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the report; (2) send the appropriate letter.  
Commissioners Mason, McDonald, Smith, Thomas, Toner,  
and Weintraub voted affirmatively for the decision.

AF# 915: Decided by a vote of 6-0 to: (1) reason  
to believe that OFFICE OF THE COMMISSIONER OF MAJOR  
LEAGUE BASEBALL POLITICAL ACTION COMMITTEE, and  
Schweitzer, William as treasurer, violated 2 U.S.C.  
434(a) and make a preliminary determination that the  
civil money penalty would be the amount indicated on  
the report; (2) send the appropriate letter.  
Commissioners Mason, McDonald, Smith, Thomas, Toner,  
and Weintraub voted affirmatively for the decision.

AF# 916: Decided by a vote of 6-0 to: (1) reason  
to believe that PLUMBERS UNION LOCAL 690..PLUMBING &  
PIPE FITTING IND US & CAN LOCAL ELECTION POL ACT  
FUND, and EDWARD C KEENAN as treasurer, violated 2  
U.S.C. 434(a) and make a preliminary determination  
that the civil money penalty would be the amount  
indicated on the report; (2) send the appropriate  
letter. Commissioners Mason, McDonald, Smith,  
Thomas, Toner, and Weintraub voted affirmatively for  
the decision.

AF# 917: Decided by a vote of 6-0 to: (1) reason  
to believe that PRAIRIE POLITICAL ACTION COMMITTEE,  
and MICHAEL EDWARD DALY as treasurer, violated 2  
U.S.C. 434(a) and make a preliminary determination  
that the civil money penalty would be the amount  
indicated on the report; (2) send the appropriate  
letter. Commissioners Mason, McDonald, Smith,  
Thomas, Toner, and Weintraub voted affirmatively for  
the decision.

AF# 918: Decided by a vote of 6-0 to: (1) reason  
to believe that SALEM COMMUNICATIONS CORPORATION  
POLITICAL ACTION COMMITTEE, and RUSSELL R HAUTH as  
treasurer, violated 2 U.S.C. 434(a) and make a  
preliminary determination that the civil money

penalty would be the amount indicated on the report;  
(2) send the appropriate letter. Commissioners  
Mason, McDonald, Smith, Thomas, Toner, and Weintraub  
voted affirmatively for the decision.

AF# 919: Decided by a vote of 6-0 to: (1) reason  
to believe that SALTCHUK RESOURCES INC POLITICAL  
ACTION COMMITTEE (AKA SALTCHUK PAC), and ALAN A  
BUTCHMAN as treasurer, violated 2 U.S.C. 434(a) and  
make a preliminary determination that the civil  
money penalty would be the amount indicated on the  
report; (2) send the appropriate letter.  
Commissioners Mason, McDonald, Smith, Thomas, Toner,  
and Weintraub voted affirmatively for the decision.

AF# 920: Decided by a vote of 6-0 to: (1) reason  
to believe that SELECT MILK PRODUCERS PAC, and RANCE  
MILES as treasurer, violated 2 U.S.C. 434(a) and  
make a preliminary determination that the civil  
money penalty would be the amount indicated on the  
report; (2) send the appropriate letter.  
Commissioners Mason, McDonald, Smith, Thomas, Toner,  
and Weintraub voted affirmatively for the decision.

AF# 921: Decided by a vote of 6-0 to: (1) reason  
to believe that SHEET METAL WORKERS INTERNATIONAL  
ASSOCIATION LOCAL 28 POLITICAL ACTION COMMITTEE, and  
FRED AMATO as treasurer, violated 2 U.S.C. 434(a)  
and make a preliminary determination that the civil  
money penalty would be the amount indicated on the  
report; (2) send the appropriate letter.  
Commissioners Mason, McDonald, Smith, Thomas, Toner,  
and Weintraub voted affirmatively for the decision.

AF# 922: Decided by a vote of 6-0 to: (1) reason  
to believe that SHEET METAL WORKERS LOCAL 100  
POLITICAL ACTION COMMITTEE (100 PAC), and ROBERT A  
WALTER 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

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report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 923: Decided by a vote of 6-0 to: (1) reason to believe that UNITED ASSOC OF JOURNEYMEN & APPRENTICES/PLUMBING & PIPE FITTING INDUSTRY LOCAL UNION 335, and RICHARD G FRANTZ as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 924: Decided by a vote of 6-0 to: (1) reason to believe that UNITED EMP PAC, CENTRAL LOUISIANA ELECTRIC CO INC, and MELISSA HENRY as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 925: Decided by a vote of 6-0 to: (1) reason to believe that WOMEN'S PRO-ISRAEL NATIONAL POLITICAL ACTION COMMITTEE ("WIN PAC"), and JOYCE ULLMAN as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF# 927: Decided by a vote of 6-0 to: (1) reason to believe that LOUISVILLE & JEFFERSON COUNTY REPUBLICAN EXECUTIVE COMMITTEE, and Bachelder, Chris as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 928: Decided by a vote of 6-0 to: (1) reason to believe that MISSISSIPPI DEMOCRATIC PARTY POLITICAL ACTION COMMITTEE, and Seale, Audrey Mrs. as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 929: Decided by a vote of 6-0 to: (1) reason to believe that BRICKLAYERS AND ALLIED CRAFTWORKERS LOCAL NO 3 NEW YORK NIAGARA FALLS/BUFFALO CHAPTER PAC , and DANIEL ROSE as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 931: Decided by a vote of 6-0 to: (1) reason to believe that NATIONAL ITALIAN AMERICAN POLITICAL ACTION COMMITTEE, and VINCENT M LASORSA CPA MBA as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 932: Decided by a vote of 6-0 to: (1) reason to believe that PATRIOT PAC, and Mullen, Audrey as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 933: Decided by a vote of 6-0 to: (1) reason to believe that S C JOHNSON & SON INC POLITICAL ACTION COMMITTEE (SCJPAC), and WILLIAM H VAN LOPIK as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 934: Decided by a vote of 6-0 to: (1) reason to believe that AMERICAN BAKERS ASSOCIATION BREAD POLITICAL ACTION COMMITTEE, and PAUL C ABENANTE as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money

penalty would be the amount indicated on the report;  
(2) send the appropriate letter. Commissioners  
Mason, McDonald, Smith, Thomas, Toner, and Weintraub  
voted affirmatively for the decision.

AF# 935: Decided by a vote of 6-0 to: (1) reason  
to believe that AMERICAN FURNITURE MANUFACTURERS  
ASSOCIATION POLITICAL ACTION COMMITTEE, and MR  
RUSSELL B BATSON as treasurer, violated 2 U.S.C.  
434(a) and make a preliminary determination that the  
civil money penalty would be the amount indicated on  
the report; (2) send the appropriate letter.  
Commissioners Mason, McDonald, Smith, Thomas, Toner,  
and Weintraub voted affirmatively for the decision.

AF# 936: Decided by a vote of 6-0 to: (1) reason  
to believe that AMERICAN SPEECH-LANGUAGE-HEARING  
ASSOCIATION POLITICAL ACTION COMMITTEE, and  
FREDERICK T SPAHR as treasurer, violated 2 U.S.C.  
434(a) and make a preliminary determination that the  
civil money penalty would be the amount indicated on  
the report; (2) send the appropriate letter.  
Commissioners Mason, McDonald, Smith, Thomas, Toner,  
and Weintraub voted affirmatively for the decision.

AF# 937: Decided by a vote of 6-0 to: (1) reason  
to believe that BANK OF NEW YORK COMPANY POLITICAL  
ACTION COMMITTEE-BNY PAC, and MR THOMAS J MASTRO as  
treasurer, violated 2 U.S.C. 434(a) and make a  
preliminary determination that the civil money  
penalty would be the amount indicated on the report;  
(2) send the appropriate letter. Commissioners  
Mason, McDonald, Smith, Thomas, Toner, and Weintraub  
voted affirmatively for the decision.

AF# 938: Decided by a vote of 6-0 to: (1) reason  
to believe that BANKERS UNITE IN LEGISLATIVE  
DECISIONS AKA BUILD (FKA IOWA BANKERS ASSOC), and  
JOHN SORENSEN as treasurer, violated 2 U.S.C. 434(a)  
and make a preliminary determination that the civil

money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 939: Decided by a vote of 6-0 to: (1) reason to believe that BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC), and IRA LAMEL as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 940: Decided by a vote of 6-0 to: (1) reason to believe that BIG TENT PAC;THE, and MS SYLVIA L NOLDE as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 942: Decided by a vote of 6-0 to: (1) reason to believe that DISTILLED SPIRITS COUNCIL OF THE UNITED STATES INC POLITICAL ACTION COMMITTEE, and MS MICHELE FAMIGLIETTI 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



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the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 943: Decided by a vote of 6-0 to: (1) reason to believe that ELECT LIFE, and MR JOHN MAWN as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 944: Decided by a vote of 6-0 to: (1) reason to believe that FLORIDA ROCK INDUSTRIES INC GOOD GOVERNMENT COMMITTEE, and JOHN D MILTON JR as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 945: Decided by a vote of 6-0 to: (1) reason to believe that FLORIDA SUGAR CANE LEAGUE PAC, and Yancey III, F. D. as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 946: Decided by a vote of 6-0 to: (1) reason to believe that INDIANA DENTAL PAC, and RAYMOND M MADDOX as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 947: Decided by a vote of 6-0 to: (1) reason to believe that IUOE LOCAL 542 OPERATING ENGINEERS POLITICAL ACTION FUND, and ROBERT T HEENAN as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 948: Decided by a vote of 6-0 to: (1) reason to believe that KEYSpan ENERGY POLITICAL ACTION COMMITTEE (KEYPAC), and Carr, Ed Mr. as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 949: Decided by a vote of 6-0 to: (1) reason to believe that LABORER'S INTERNATIONAL UNION OF NO AMERICA LOCAL NO 17 POLITICAL LEAGUE, and JOSEPH R LIBONATI as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 950: Decided by a vote of 6-0 to: (1) reason to believe that LOCAL 617 COPE COMMITTEE, and MINNIE MCELROY as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF# 951: Decided by a vote of 6-0 to: (1) reason to believe that MARYLAND ASSOCIATION FOR CONCERNED CITIZENS POLITICAL ACTION COMMITTEE, and MR JAMES BERG as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 952: Decided by a vote of 6-0 to: (1) reason to believe that NATIONAL PROPANE GAS ASSOCIATION POLITICAL ACTION COMMITTEE -PROPANE PAC, and Roldan, Richard as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 953: Decided by a vote of 6-0 to: (1) reason to believe that OLD NATIONAL BANK IN EVANSVILLE OLBANK PAC, and Dan Sauls as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 954: Decided by a vote of 6-0 to: (1) reason to believe that POLITICAL ACTION COMMITTEE OF FOCAL COMMUNICATIONS CORPORATION, and ROBERT M JUNKROSKI as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF# 955: Decided by a vote of 6-0 to: (1) reason to believe that PRO - LIFE CAMPAIGN COMMITTEE, and Gersten, Pablo as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 956: Decided by a vote of 6-0 to: (1) reason to believe that REPUBLICANS FOR CHOICE, and ANN E W STONE as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 957: Decided by a vote of 6-0 to: (1) reason to believe that SUPPORTERS OF ENGINEERS LOCAL 3 ENDORSED CANDIDATES (SELEC), and GARLAND ROSAURO as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 958: Decided by a vote of 6-0 to: (1) reason to believe that TECO ENERGY INC EMPLOYEES' PAC, and ROBIN J HASTINGS as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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AF# 959: Decided by a vote of 6-0 to: (1) reason to believe that THELEN REID & PRIEST POLITICAL ACTION COMMITTEE, and WILLIAM A KIRK as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 960: Decided by a vote of 6-0 to: (1) reason to believe that 15TH DISTRICT DEMOCRATIC PARTY, and PATRICIA A FEDEWA as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 961: Decided by a vote of 6-0 to: (1) reason to believe that MINNESOTA DFL HOUSE CAUCUS, and PAUL ROGOSHESKE as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF# 962: Decided by a vote of 6-0 to: (1) reason to believe that RHODE ISLAND REPUBLICAN STATE CENTRAL COMMITTEE, and Drew, Merrill C. as treasurer, violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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Attest:

May 2, 2003  
Date

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

Received in the Secretariat: Fri., Apr. 23, 2003 3:58 p.m.  
Circulated to the Commission: Mon., Apr. 24, 2003 11:00 a.m.  
Deadline for vote: Thurs., Apr. 29, 2003 4:00 p.m.

**WESTERN  
UNION**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES  
TO: EDWARD C KEENAN  
PLUMBERS UNION LOCAL 690..PLUMBING & PIP  
2791 SOUTHAMPTON RD  
PHILADELPHIA PA 19154-1296

ALICE KANG -REPORT ANALYSIS DIV.  
FEDERAL ELECTION COMMISSION  
999 E ST NW  
WASHINGTON DC 20463

MAY 2, 2003

EDWARD C KEENAN  
PLUMBERS UNION LOCAL 690..PLUMBING & PIP  
2791 SOUTHAMPTON ROAD  
PHILADELPHIA PA 19154

C00252825  
AF#: 916

DEAR EDWARD C KEENAN:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE A 30 DAY POST-GENERAL REPORT OF RECEIPTS AND DISBURSEMENTS IN A CALENDAR YEAR IN WHICH A REGULARLY SCHEDULED GENERAL ELECTION IS HELD. THIS REPORT, COVERING THE PERIOD THROUGH NOVEMBER 25TH, SHALL BE FILED NO LATER THAN DECEMBER 5TH. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT. RECORDS AT THE FEDERAL ELECTION COMMISSION ("FEC") INDICATE THAT THIS REPORT WAS FILED ON 01/02/2003, 28 DAYS LATE.

THE ACT WAS FURTHER AMENDED IN 1999 TO PERMIT THE FEC TO IMPOSE CIVIL MONEY PENALTIES FOR VIOLATIONS OF THE REPORTING REQUIREMENTS OF 2 U.S.C. 434(A). 2 U.S.C. 437G(A)(4). ON 04/29/2003, THE FEC FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT PLUMBERS UNION LOCAL 690..PLUMBING & PIP AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE DECEMBER 5TH. BASED ON THE FEC'S SCHEDULES OF CIVIL MONEY PENALTIES AT 11 C.F.R. 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE IS \$2400. IT IS DUE BY 06/11/2003 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE  
LEVEL OF ACTIVITY: \$58678  
NUMBER OF DAYS LATE: 28  
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 0

TO PAY THE CALCULATED CIVIL MONEY PENALTY  
TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED


**WESTERN  
UNION**

WESTERN UNION COMMERCIAL SERVICES

REMITTANCE AND YOUR PAYMENT TO THE FEC AT THE ADDRESS ON PAGE 3.  
UPON RECEIPT OF YOUR PAYMENT, THE FEC WILL SEND YOU A FINAL  
DETERMINATION LETTER.

TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY  
TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY  
PENALTY, YOU MUST SUBMIT A WRITTEN RESPONSE, INCLUDING THE AF# FOUND  
ON PAGE ONE, TO THE FEC'S OFFICE OF ADMINISTRATIVE REVIEW, 999 E  
STREET, NW, WASHINGTON, DC 20463. YOUR RESPONSE MUST BE RECEIVED  
BY 06/11/2003. YOUR WRITTEN RESPONSE MUST INCLUDE THE REASON(S) WHY  
YOU ARE CHALLENGING THE RTB FINDING AND/OR CALCULATED CIVIL MONEY  
PENALTY. THE FEC WILL ONLY CONSIDER CHALLENGES THAT ARE BASED ON A  
FACTUAL ERROR, MISCALCULATION OF THE CALCULATED CIVIL MONEY PENALTY  
BY THE FEC, OR THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES THAT  
PERSISTED FOR MORE THAN 48 HOURS THAT WERE BEYOND YOUR CONTROL AND  
PREVENTED YOU FROM FILING THE REPORT IN A TIMELY MANNER. YOUR  
RESPONSE MUST INCLUDE THE FACTUAL BASIS SUPPORTING THE REASON(S) AND  
SUPPORTING DOCUMENTATION. THE FEC STRONGLY ENCOURAGES THAT DOCUMENTS  
BE SUBMITTED IN THE FORM OF AFFIDAVITS OR DECLARATIONS. EXAMPLES OF  
CIRCUMSTANCE THAT WILL NOT BE CONSIDERED EXTRAORDINARY INCLUDE, BUT  
ARE NOT LIMITED TO, NEGLIGENCE, PROBLEMS WITH VENDORS OR  
CONTRACTORS, STAFF ILLNESS, COMPUTER FAILURES AND SIMILAR  
CIRCUMSTANCES. 11 C.F.R. 111.35(B)(1)(III) AND (4).

YOUR FAILURE TO RAISE AN ARGUMENT IN A TIMELY FASHION DURING THE  
ADMINISTRATIVE PROCESS SHALL BE DEEMED A WAIVER OF YOUR RIGHT TO  
PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2  
U.S.C. 437G. 11 C.F.R. 111.38.

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

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

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A  
WRITTEN RESPONSE, THE FEC WILL ASSUME THAT THE PRECEDING FACTUAL  
ALLEGATIONS ARE TRUE AND MAKE A FINAL DETERMINATION THAT PLUMBERS  
UNION LOCAL 690..PLUMBING & PIP AND YOU, AS TREASURER, VIOLATED 2  
U.S.C. 434(A) AND ASSESS A CIVIL MONEY PENALTY.

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

THIS MATTER WAS GENERATED BASED ON INFORMATION ASCERTAINED BY  
THE FEC IN THE NORMAL COURSE OF CARRYING OUT ITS SUPERVISORY  
RESPONSIBILITIES. 2 U.S.C. 437G(A)(2). IT WILL REMAIN CONFIDENTIAL  
IN ACCORDANCE WITH 2 U.S.C. 437G(A)(4)(B) AND 437G(A)(12)(A) UNTIL  
IT IS PLACED ON THE PUBLIC RECORD IN ACCORDANCE WITH 11 C.F.R.  
111.42, UNLESS YOU NOTIFY THE FEC IN WRITING THAT YOU WISH THE  
MATTER TO BE MADE PUBLIC.



**WESTERN  
UNION**

WESTERN UNION COMMERCIAL SERVICES

ADDITIONAL INFORMATION ON THE FEC'S ADMINISTRATIVE FINE PROGRAM, INCLUDING THE FINAL REGULATIONS, IS LOCATED AT THE FEC'S WEBSITE AT WWW.FEC.GOV. IF YOU HAVE QUESTIONS REGARDING THE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY, PLEASE CONTACT ALAN SHOOK 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,

ELLEN L. WEINTRAUB  
CHAIR

\* \* \* \* \*  
ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$2400 FOR THE 2002 30 DAY POST-GENERAL 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:  
U.S. BANK - GOVERNMENT LOCKBOX  
FEC #952182  
1005 CONVENTION PLAZA  
ST. LOUIS, MO 63101

THE REMITTANCE AND YOUR PAYMENT ARE DUE BY 06/11/2003. UPON RECEIPT OF YOUR REMITTANCE AND PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT  
-----

FOR: PLUMBERS UNION LOCAL 690..PLUMBING &amp; PIP

FEC ID#: C00252825

AF#: 916

PAYMENT DUE DATE: 06/11/2003

PAYMENT AMOUNT DUE: \$2400

**Plumbers Union Local 690**  
*of Philadelphia and Vicinity*

FEC OFFICE OF  
ADMIN REVIEW

2003 JUN -2 P 2: 32

2791 SOUTHAMPTON ROAD, PHILADELPHIA, PA 19154

EDWARD C. KEENAN  
Business Manager  
Secretary-Treasurer

PHONE: 677-6900  
FAX: 677-7102

May 27, 2003

Federal Election Commission  
Office of the Administrative Review  
999 E. Street, N.W.  
Washington, D.C. 20463

**Re: AF#916**

Dear Sir or Madam:

Please be advised that Plumbers Union Local 690 will be represented by the law firm of O'Donoghue & O'Donoghue. Our attorney's name and address are below:

Robert P. Curley, Esq.  
O'Donoghue & O'Donoghue  
325 Chestnut Street, Suite 515  
Philadelphia, PA 19106

Telephone: (215) 629-4970  
Facsimile: (215) 629-4996

This letter is notification that we are authorizing our counsel to receive notifications and communications relating to this challenge and imposition of a calculated civil money penalty. If you have any questions, please call.

Sincerely,



Edward C. Keenan  
Business Manager

## LAW OFFICES

## O'DONOGHUE &amp; O'DONOGHUE

DONALD J. CAPUANO (DC ONLY)  
 JAMES R. O'CONNELL (DC & MD)  
 ROBERT MATISOFF (DC ONLY)  
 JOYCE A. MADER (DC & PA)  
 SALLY M. TEDROW (DC ONLY)  
 BRIAN A. POWERS (DC ONLY)  
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 EARL V. BROWN, JR. (DC ONLY)  
 OF COUNSEL

CONSTITUTION PLACE  
 SUITE 515  
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 PHILADELPHIA, PA 19106  
 (215) 629-4970

FAX (215) 629-4996

9 NORTH ADAMS STREET  
 ROCKVILLE, MD 20850  
 (301) 251-0829

4748 WISCONSIN AVENUE, N.W.  
 WASHINGTON, DC 20016  
 (202) 362-0041  
 FAX (202) 362-2640



R. RICHARD HOPP (DC & MD)  
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 DAVID D. CAPUANO (PA ONLY)  
 GREGORY F. MOORE (DC & MD)  
 JAMIE L. PRICE (DC & VA)  
 MAYDAD D. COHEN (DC ONLY)

MARTIN F. O'DONOGHUE  
 (1902-1973)  
 PATRICK C. O'DONOGHUE  
 (1930-1979)  
 JOSEPH P. BOYLE  
 (1954-1998)

May 30, 2003

FEC's Office of Administrative Review  
 999 E. Street, N.W.  
 Washington, D.C. 20463

**Re: Plumbers Union Local 690 PAC's Challenge to RTB Finding And  
 Calculated Civil Money Penalty AF#916  
 C00252825**

Dear Sir or Madam:

This letter brief is submitted in support of Plumbers Union Local 690 PAC's Challenge to the FEC's RTB Finding and the proposed Calculated Civil Money Penalty. The reasons for reversing the FEC's RTB finding are set forth below. Most importantly, Plumbers Union Local 690's PAC filed the report on time. In fact, Plumbers Union Local 690's PAC filed the thirty-day post general report nine days early; not twenty-eight days late. Unfortunately, an unknown glitch in the FEC's software rejected the report filed on November 26, 2002. Thus, what occurred was not a failure to file, but rather a failure to connect.

A review of Plumbers Local 690 PAC's previous filings will confirm that this Union has never filed a required FEC report late. Since 1993, Maureen Corkery, the Plumbers Union Local 690 employee responsible for filing the FEC reports, filed every report on time. Ms. Corkery's preferred method of filing with the FEC is by manually preparing and mailing the reports. Regrettably from her perspective, the FEC in the past several years started insisting that the reports be filed electronically. Until the FEC's December 23, 2002 Mailgram, Ms. Corkery believed that the report had been filed on November 26, 2002. Ms. Corkery's sworn Declaration sets forth unequivocally that she submitted the report on November 26, 2002. The FEC first notified Plumbers Local Union 690's PAC by Mailgram dated December 23, 2002 that the report might not have been received. The PAC did not know that its November 26, 2002 computer submission did not succeed before it received the Mailgram.

FEC OFFICE OF  
ADMIN REVIEW

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Ms. Corkery first discovered the computer problem when she returned to work after her Christmas and New Year vacation. She immediately contacted FEC's Scott Walker and Ken Lally. They instructed Ms. Corkery about what she needed to do to correct the report and successfully submitted it. On November 26, 2003, Ms. Corkery submitted an amended report believing that she could do so. In her conversation with the FEC's Ken Lally on January 2, 2003, she discovered --for the first time-- that the method she used was not acceptable. According to Mr. Lally, the report could not be sent as an amended document. Therefore, she needed to go in and unamend the report, close the report, and then verify totals before submitting it to the FEC. Following Lally's instructions, she immediately made the changes and submitted the report. It is our understanding that Ken Lally will confirm the problems with the FEC's faxback confirmation system in October and November 2002 and the fact that Ms. Corkery attempted, but later discovered she had failed to submit an amended report on November 26, 2002, a full nine days before it was due.

In addition to the Declaration of Ms. Corkery, Maria Philiponis's Declaration is submitted to confirm the fact that before the report was revised and resubmitted on January 2, 2003, the FEC's records established that an amended report had been sent on November 26, 2002. (See Exhibit 1 to Ms. Corkery's Declaration.). It is requested that light of the unique circumstances that occurred with this filing, the FEC not seek a civil penalty in this matter. Now that Ms. Corkery is aware of how to amend or correct a submission, the problem that occurred on November 26, 2002 will not reoccur. Moreover, given the fact that the late notification was sent and received during the Christmas holidays, it is requested that at a minimum, any penalty imposed exclude a daily fine. The chronology of events in this case establish that once Ms. Corkery became aware of the computer glitch, she immediately contacted the FEC to work through the problem and confirm the report's receipt. If she had been notified on November 27, 2002, she would have taken the exact same steps she took on January 2, 2003 to correct the filing. Likewise, if the Mailgram notice had not been sent and received during the Christmas and New Year's holidays, it would have been corrected much earlier.

If you have any questions or need additional evidence, including speaking directly to Ms. Corkery or Ms. Philiponis, please let me know. Thank you for your consideration.

Very truly yours,



Robert P. Curley

RPC/tmn

cc: Edward C. Keenan

## DECLARATION OF MAUREEN CORKERY

I, Maureen Corkery, do hereby declare and verify under penalty of perjury pursuant to 28 U.S.C. Section 1746 this 38<sup>th</sup> day of May, 2003, the following:

1. I am employed by Plumbers Union Local 690 and have been filing the FEC reports for the Union since 1993.
2. Prior to October 18, 2002 there was never a problem with any of the reports filed.
3. For approximately ten years, I typed the reports manually and filed them with the FEC. Approximately two years ago, however, the FEC ordered that the reports would have to be filed by using the FEC's software and the internet.
4. On October 18, 2002, when I filed the twelve-day pre-election report, it was received by the FEC, but I did not receive a faxed confirmation from them. I contacted Ken Lally regarding the Fax confirmation. He stated they are having problems with their Fax Server. On November 26, 2002, I then filed a thirty-day post-general report.
5. Because I do not have internet connection on my computer, I completed the report and then download it to a disk, which I take to the one computer in the Union that has internet connection and upload it there to the FEC site. On November 26, 2002, when I first tried to upload the thirty-day post-general report, I noticed that the report required a correction due to out of balance totals. I went into the file to

amend the report. After I amended the report on November 26, 2002, I sent it to the FEC.

6. Attached as Exhibit 1 is a screen shot of the original copy of the FEC filing in the union's computer. It shows that the thirty-day post-general report was filed as a A1 (Amended Report) on November 26, 2002. It was not until the Union received the mail gram dated December 23, 2002, which was received sometime later, that it was discovered that the Amended Report I filed on November 26 apparently did not go through.

7. I was on vacation from December 23 until I returned from the Christmas and New Years Holiday to the office on January 2, 2003. after phone conversations with Scott Walker and Ken Lally it was discovered that the report that was sent as an amendment did not go through on November 26.

8. On January 2, 2003, we first spoke to Scott Walker, our FEC analyst, who then referred us to Ken Lally. Ken Lally advised us on January 2, 2003 to check all future uploads on the [www.fec.gov](http://www.fec.gov) site to confirm whether or not our report went through. Lally also stated that the fax server was down during that period. Until January 2, 2003, I was not aware that I could use the FEC website to verify whether or not a report was successfully transferred to the FEC. On January 2, 2003, I successfully submitted the thirty-day post general report with the assistance of Ken Lally. Attached as Exhibit 2 is a printout, which shows the report's new receipt date.

9. Ken Lally who is a Tech Specialist employed by the FEC has records of our phone calls on October 18, 2002 and January 2, 2003.

10. In all the years that I prepared reports by typing them and submitting them manually, I never had any problems. If the balances did not match, I could fix them and send them off.

11. When I became aware that there was a problem with the report submitted on November 26, 2002, upon my return from the Holidays, I immediately addressed the matter with our FEC Analyst and Tech Support and resubmitted the report.

12. That I certify under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. §746.

Maureen Corkery  
Maureen Corkery

Type	Period	Coverage	Effective Date	Termination Date	Filed by	Election cycle	Opening Date	Closing Date
January 31 Year End	01/01/2001 - 12/31/2001				Keenan, Edward C.		37238.74	37238.74
April 15 Quarterly	01/01/2002 - 03/31/2002				Keenan, Edward C.		39233.59	44590.81
July 15 Quarterly	04/01/2002 - 06/30/2002				Keenan, Edward C.		44590.89	45240.36
October 15 Quarterly	07/01/2002 - 09/30/2002				Keenan, Edward C.		45240.38	44676.46
12 day Pre-General	10/01/2002 - 10/16/2002		11/05/2002		Keenan, Edward C.		44676.46	43176.45
At 30 day Post-General	10/17/2002 - 11/25/2002		11/05/2002		Keenan, Edward C.		43176.45	11830.99
January 31 Year End	11/26/2002 - 12/31/2002				Keenan, Edward C.		11830.99	17368.70



FECfile4 - PLUMBERS UNION LOCAL 630 PAC DCF						
Report Period	Coverage	Election Date	Filing Date	Signed By	Election Cycle	Closing Date
July 31 Mid Year	01/01/2001 - 06/30/2001		07/27/2001	Keenan, Edward C.		37449.81
January 31 Year End	07/01/2001 - 12/31/2001		01/21/2002	Keenan, Edward C.		37298.74
April 15 Quarterly	01/01/2002 - 03/31/2002		04/10/2002	Keenan, Edward C.		39233.55
July 15 Quarterly	04/01/2002 - 06/30/2002		07/11/2002	Keenan, Edward C.		44593.85
October 15 Quarterly	07/01/2002 - 09/30/2002		03/24/2003	Keenan, Edward C.		44590.89
12 day Pre-General	10/01/2002 - 10/16/2002		11/05/2002	Keenan, Edward C.		45240.35
January 31 Year End	10/17/2002 - 11/25/2002		01/02/2003	Keenan, Edward C.		44676.45
April 15 Quarterly	11/26/2002 - 12/31/2002		01/21/2003	Keenan, Edward C.		43176.45
July 15 Quarterly	01/01/2003 - 03/31/2003		04/01/2003	Keenan, Edward C.		11830.53
				Keenan, Edward C.		25428.37
				Keenan, Edward C.		41461.22
				Keenan, Edward C.		33275.25

## **DECLARATION OF MARIA PHILIPONIS**

I, Maria Philiponis, do hereby declare and verify under penalty of perjury pursuant to 28 U.S.C. Section 1746 this 29<sup>th</sup> day of May, 2003, the following:

1. I am employed by Plumbers Union Local 690 Industry Funds as a Computer Systems Analyst.
2. Since the FEC requires Plumbers Union Local 690 to file its report electronically, Maureen Corkery came to me in October 2002, asking if I could help her in anyway with several problems she experienced using the FEC software.
3. The first problem occurred in October when Maureen did not receive a fax back from the FEC confirming a report filing on October 18, 2002. The second time I was consulted occurred on January 2, 2003 when Maureen had attempted to upload an Amended thirty-day post general report file to the FEC but received an error.
4. On January 2, 2003, Maureen and I contacted Scott Walker, who is Plumbers Union Local 690's Analyst with the FEC, explaining the problem that when sending the Amended file caused an upload error. Scott Walker explained that an Amended file, indicated by an A1 can only be sent when an original file was previously received by the FEC. Scott recommended that Ken Lally, who is a Tech Specialist, assist in various steps to unamend the report so that it could be submitted correctly. In this process Ken Lally recommended making a copy of the

file before any modification were made thus having an original copy on hand. The attached screen shot, labeled Exhibit 1, is a copy of the file before modifications were made on the resubmitted file. An attempt was made to open a file in the Archive directory but the FEC software does not allow this process.

6. It was then recommended by Ken Lally to verify via FEC.GOV website the receipt of any future uploaded files to the FEC since the FEC was having problems with their Fax server since October 2002.

 5/29/03  
Maria Philiponis

24 09 355 3436

FECFILE4 - badaplposPLUMBERS.DCF						
Type	Coverage	Filing Date	Filed by	Election Date	Opening Date	Closed Date
July 31 Mid Year	01/01/2001 - 06/30/2001	07/27/2001	Keenan, Edward C.		349481	372974
January 31 Year End	07/01/2001 - 12/31/2001	01/21/2002	Keenan, Edward C.		3729874	3923355
April 15 Quarterly	01/01/2002 - 03/31/2002	04/10/2002	Keenan, Edward C.		3923359	4459089
July 15 Quarterly	04/01/2002 - 06/30/2002	07/11/2002	Keenan, Edward C.		4459089	4524036
October 15 Quarterly	07/01/2002 - 09/30/2002	10/02/2002	Keenan, Edward C.		4524038	4467646
12 day Pre-General	10/01/2002 - 10/16/2002	10/18/2002	Keenan, Edward C.		4467646	4317646
A1-30 day Post-General	10/17/2002 - 11/25/2002	11/26/2002	Keenan, Edward C.		4317646	118396
January 31 Year End	11/26/2002 - 12/31/2002	11/26/2002	Keenan, Edward C.		1183099	1736870

01/01/2001 - 06/30/2001	07/27/2001	01/21/2002	04/10/2002	07/11/2002	10/02/2002	10/18/2002	11/26/2002	11/26/2002
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2003 JUN -11 A 8:23

Date: June 3, 2003

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

AF#: 916

Committee Name: Plumbers Union Local 690, Plumbing & Pipefitting IND US &  
CAN Local Election POL ACT Fund

Committee ID#: C00252825

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

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

**Attachments:**

Copy of RTB Circulation Report dated April 23, 2003 and RTB Certification  
Dated April 29, 2003 Previously Forwarded to Your Office -

Attachment # : N/A

Copy of RTB Mailgram - Attachment # : see declaration

Certified Return Receipt - Attachment # : 1

Other Reports (Redacted if Necessary) Used for RTB Review -

Attachment # : N/A

Telecons and Visitcons in Response to RTB Mailgram (Y/N): Y

Attachment # : 2

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

Attachment # : N/A

RAD Staff Declaration - Attachment # : 3

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

EDWARD C KEENAN  
 PLUMBERS UNION LOCAL 690..  
 PLUMB INC & PIP  
 2791 SOUTHAMPTON RD  
 PHILADELPHIA PA 19154-1296

## 2. Article Number

(Transfer from service label)

7000 1670 0005 1341 8629

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature


☐ Agent☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

## D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☒ No

## 3. Service Type

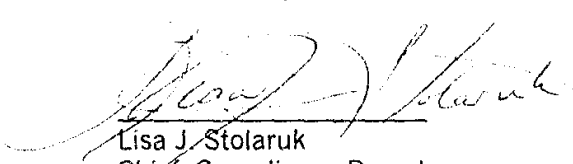
☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

**DECLARATION OF LISA J. STOLARUK**

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 research conducted with regard to the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to the Plumbers Union Local 690, Plumbing & Pipefitting IND US & CAN Local Election POL ACT Fund:
  - A) Prior Notice dated September 30, 2002 and November 8, 2002 referencing the 2002 30 Day Post-General Report;
  - B) Non-Filer Mailgram dated December 23, 2002 referencing the 2002 30 Day Post-General Report;
  - C) Reason-to-Believe Mailgram dated May 2, 2003 referencing the 2002 30 Day Post-General Report.
3. I hereby certify that I have searched the Commission's public records and find that the Plumbers Union Local 690, Plumbing & Pipefitting IND US & CAN Local Election POL ACT Fund electronically filed the 2002 30 Day Post-General Report with the Commission on January 2, 2003.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 3<sup>rd</sup> day of June, 2003.

  
Lisa J. Stolaruk  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

# ● GENERAL ELECTION ● REPORT NOTICE

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FEDERAL ELECTION COMMISSION

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PARTIES AND PACS

September 30, 2002

## **I. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 16**

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT.	FILING
		MAILING DATE <sup>2</sup>	DATE
Pre-General	10/01/02 - 10/16/02	10/21/02	10/24/02
Post-General	10/17/02 - 11/25/02	12/05/02	12/05/02

## **II. QUARTERLY FILERS THAT DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 16<sup>3</sup>**

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT.	FILING
		MAILING DATE <sup>2</sup>	DATE
Post-General	10/01/02 - 11/25/02	12/05/02	12/05/02

### **WHO MUST FILE**

Party Committees and PACs must follow the above charts in order to determine whether they must file a report 12 days before the general election on November 5 (the Pre-General Report). All Party Committees and PACs, regardless of financial activity, must file a report 30 days after the general election (the Post-General Election Report).

<sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

<sup>2</sup>Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

<sup>3</sup>Committees that made general election contributions or expenditures before October 1 and did not previously report them must also follow Chart I.

(over)



**IMPORTANT FILING INFORMATION**

In response to the anthrax threat, the US Postal Service is irradiating mail directed to many federal government agencies, including the FEC and the Secretary of the Senate.<sup>4</sup> 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 regular US mail. Alternative methods include:

- Electronic Filing;
- Overnight mail service; and
- Hand delivery.

**24 HOUR REPORT ON INDEPENDENT EXPENDITURES**

Any PAC or Party Committee that makes independent expenditures in connection with an election may also have to file a 24-hour report. This reporting requirement is triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the day of the election. This report is *not* required when a Party Committee or PAC makes a contribution directly to a candidate.

**ELECTRONIC FILING**

Political committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that expect to do so, must submit their reports electronically. For additional information, review the enclosed handout entitled "Electronic Filing," call the FEC's Electronic Filing office at (800) 424-9530 or (202) 694-1642, and visit our web site at <http://www.fec.gov/electfil/electron.html>.

**COMPLIANCE**

- Treasurers of political committees 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.
- Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties ranging from \$125 to \$16,000 (or more for repeat late- and non-filers). For additional information, see the enclosed handout entitled, "Administrative Fine Program," and visit the FEC web site at <http://www.fec.gov/adminfines1.html>.
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.
- Electronic filers who instead file on paper or submit an electronic report that does not pass the validation test will be considered non-filers and may be subject to enforcement actions (including administrative fines).

<sup>4</sup>Committees that support only Senate candidates should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via regular US mail.

# ● GENERAL ELECTION ● REPORT NOTICE

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FEDERAL ELECTION COMMISSION

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PARTIES AND PACS

November 8, 2002

**\*\*\*REMINDER**

**REMINDER**

**REMINDER\*\*\***

All party committees and PACs (nonconnected committees and separate segregated funds) must file a Post-General Election Report. Reports sent by registered or certified mail must be postmarked by the mailing date (December 5, 2002); otherwise, they must be received by the filing date (December 5, 2002).

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

**WESTERN  
UNION**

CONFIRMATION OF MAILGRAM

 WESTERN UNION COMMERCIAL SERVICES  
 TO: EDWARD C KEENAN  
 PLUMBERS UNION LOCAL 699, PLUMBING & PIP  
 2791 SOUTHAMPTON RD  
 PHILADELPHIA PA 19154-1296

 CHRIS RITCHIE  
 FEDERAL ELECTION COMMISSION  
 999 E ST NW  
 WASHINGTON DC 20463

DECEMBER 23, 2002

IDENTIFICATION NUMBER: C00252925

REFERENCE: 30 DAY POST-GENERAL REPORT (12/17/2002 - 12/25/2002)

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION (FEC) THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED. YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEC, 999 E STREET, N.W., WASHINGTON, D.C., 20463. A COPY OF THE REPORT OR RELEVANT PORTIONS 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.

DUE TO RECENT EVENTS, THE US POSTAL SERVICE IS EXPERIENCING DELAYS IN THE DELIVERY OF MAIL FOR THE WASHINGTON, DC AREA. CONSEQUENTLY, THE FEC IS NOT IN RECEIPT OF ALL INCOMING MAIL. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT AND CONSIDER USING ALTERNATE DELIVERY SERVICES SUCH AS OVERNIGHT DELIVERY OR DELIVERY BY COURIER. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT [WWW.FEC.GOV](http://WWW.FEC.GOV).

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR 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 SCOTT B. WALKER ON OUR TOLL FREE NUMBER (800) 424-9520. OUR LOCAL NUMBER IS (202) 694-1130.

SINCERELY,

 JOHN D. GIBSON  
 ASSISTANT STAFF DIRECTOR  
 REPORTS ANALYSIS DIVISION



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Via First Class Mail

June 3, 2003

Robert P. Curley, Esq.  
O'Donoghue & O'Donoghue  
325 Chestnut Street, Suite 515  
Philadelphia, Pennsylvania 19106

C00252825

AF# 916

Dear Mr. Curley:

On April 29, 2003, the Federal Election Commission ("the Commission") found reason to believe that the Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer, violated 2 U.S.C. § 434(a) with respect to the 2002 30 Day Post-General Report.

On June 2, 2003, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. 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,

A handwritten signature in black ink that reads "Shawn Woodhead Werth". The signature is written in a cursive, flowing style.

Shawn Woodhead Werth

Reviewing Officer

Office of Administrative Review



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2004 MAY 13 P 5:31

May 11, 2004

**MEMORANDUM**

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR

ALISON L. DOONE *als*  
DEPUTY STAFF DIRECTOR

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

SUBJECT: AF# 916 - PLUMBERS UNION LOCAL 690 OF THE UNITED  
ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF  
THE PLUMBING AND PIPEFITTING INDUSTRY OF THE  
UNITED STATES AND CANADA LOCAL ELECTION  
POLITICAL ACTION FUND AND EDWARD C. KEENAN, AS  
TREASURER (C00252825)

**SENSITIVE**

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to respondents in accordance with 11 C.F.R. § 111.36(f). 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



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 11, 2004

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

AF# 916 – Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer (C00252825)

On April 29, 2003, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer ("the respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2002 30 Day Post-General Report in a timely manner. The Commission also made a preliminary determination that the civil money penalty was \$2,400 based on the schedule of penalties at 11 C.F.R. § 111.43. The respondents were notified by the Reports Analysis Division ("RAD") via mailgram on May 2, 2003 of the Commission's finding and civil money penalty calculated at RTB.

**Respondents' Response**

On June 2, 2003, the Commission received the written response, two declarations, the designation of counsel statement, and Exhibits 1 and 2 ("challenge") from Robert P. Curley, counsel, on behalf of the respondents. Counsel states that the respondents are challenging the RTB finding and civil money penalty because they "filed the report on time. In fact, [the respondents] filed the ... report nine days early; not twenty-eight days late. Unfortunately, an unknown glitch in the FEC's software rejected the report filed on November 26, 2002. Thus, what occurred was not a failure to file, but rather a failure to connect."

Counsel explains that, "[s]ince 1993," Maureen Corkery is the "Plumbers Union Local 690 employee responsible for filing ... reports." Ms. Corkery's "preferred method of filing ... is by manually preparing and mailing the reports;" however, the Commission "in the last several years started insisting that the reports be filed electronically." He stated that, in her declaration, Ms. Corkery "sets forth unequivocally that she submitted the report on November 26" but the respondents "did not know that [their] November 26 ... submission did not succeed before [they] received the Mailgram" dated December 23, 2002. In her conversation "with ... Ken Lally on January 2, 2003, [Ms. Corkery] discovered -- for the first time -- that the method she used was not acceptable" when she "submitted an amended report" on November 26. Counsel indicates that Mr. Lally told her

the report could not be sent as an amended document. Therefore, she needed to go in and unamend the report, close the report, and then verify totals before submitting it.... [S]he immediately made the changes and submitted the report. It is our understanding that Ken Lally will confirm the problems with the FEC's faxback

confirmation system in October and November 2002 and ... that Ms. Corkery attempted, but later discovered she had failed to submit an amended report on November 26, 2002, a full nine days before it was due.

Counsel says that, if Ms. Corkery "had been notified on November 27, 2002, she would have taken the exact same steps she took on January 2, 2003 to correct the filing. Likewise, if the Mailgram notice had not been sent and received during the Christmas and New Year's holidays, it would have been corrected much earlier." As a result of the "unique circumstances that occurred with this filing," counsel asks that the Commission "not seek a civil penalty" or "at a minimum, any penalty imposed exclude a daily fine."

Ms. Corkery states in her declaration that she has filed the reports "since 1993" and "[f]or approximately ten years, I typed the reports manually.... Approximately two years ago, however, the FEC ordered that the reports would have to be filed by using the FEC's software and the internet." She states that, "[o]n October 18, 2002, when I filed the [12 Day Pre-General] report, it was received ... but I did not receive a faxed confirmation." She called and spoke with Commission staff who "stated they are having problems with their Fax Server."

She explains that she "completed the [30 Day Post-General] report and download[ed] it to a disk," and then "upload[ed] it" from the "one computer in the Union that has internet connection." Ms. Corkery says that, "[o]n November 26, 2002, when I first tried to upload the ... report, I noticed that the report required a correction.... I went into the file to amend the report" and then "I sent it to the FEC.... It was not until the Union received the mailgram dated December 23, 2002 ... that it was discovered that the Amended Report I filed on November 26 apparently did not go through." After Ms. Corkery "returned from the ... Holiday[s] ... on January 2, 2003" and spoke to Commission staff, she "discovered that the report that was sent as an amendment did not go through on November 26." She "successfully submitted the ... report with the assistance" of Commission staff on January 2" who also "advised us ... to check all future uploads on the [www.fec.gov](http://www.fec.gov) site to confirm whether or not our report went through." Commission staff also told her that "the fax server was down during that period." Prior to January 2, Ms. Corkery states that she "was not aware that I could use the FEC website to verify whether or not a report was successfully transferred."

Ms. Corkery references two exhibits in her declaration. Exhibit 1 "is a screen shot of the original copy of the FEC filing in the ... computer" and "shows that the thirty-day post-general report was filed as a A1 (Amended Report) on November 26." Exhibit 2 "is a printout, which shows the report's new receipt date "

The second declaration is from Maria Philiponis who is "employed by [the] ... Union ... as a Computer Systems Analyst." Ms. Philiponis states that Ms. Corkery

came to me in October 2002, asking if I could help her ... with several problems she experienced using the FEC software. The first problem occurred in October when [she] did not receive a fax back ... confirming a report filing on October 18, 2002. The second time I was consulted occurred on January 2, 2003 when [she] had attempted to upload an Amended [30 Day Post-General] report file ... but received an error.... [We] contacted ... [the] Analyst..., explaining the problem that ... caused an upload error. [The Analyst] explained that an Amended file, indicated by

an A1 can only be sent when an original filed was previously received.... [He] recommended that Ken Lally, ... a Tech Specialist, assist ... to unamend the report so that it could be submitted correctly.... Ken Lally recommended making a copy of the file before any modification[s] were made thus having an original copy ... [and] to verify via FEC.GOV website the receipt of any future uploaded files ... since the FEC was having problems with their Fax server since October 2002.

Ms. Philiponis references an exhibit, also labeled Exhibit 1, which is "a copy of the file before modifications were made on the resubmitted file." Although there was "an attempt to open a file in the Archive directory," she indicates that the "FEC software does not allow this process."

The screen shot at Exhibit 1 of Ms. Corkery's declaration is labeled "FECfile4 - badalpostPLUMBERS.DCF." The FECFile4 window lists eight 2001 and 2002 reports with their coverage dates. In the "Filed On" column, the date listed for the "A1:30 day Post-General" report is "11/26/2002." The screen shot at Exhibit 2 is labeled "FECfile4 - PLUMBERSUNIONLOCAL630PAC.DCF." The FECfile4 window lists ten 2001, 2002, and 2003 reports with their coverage dates. In the "Filed On" column, the date listed for the "30 day Post-General" report is "01/02/2003." The screen shot at Exhibit 1 of Ms. Philiponis' declaration is labeled "FECfile4 - badalpostPLUMBERS.DCF" and shows the same information as Exhibit 1 submitted with Ms. Corkery's declaration.

#### **Supplemental Request and Response**

Because the respondents reference conversations with Commission staff about their attempt to file the report on November 26 and problems with the fax server, OAR sent a supplemental request to the Manager of the Systems Analysis and Design Branch in the Information Technology Division ("ITD") on September 11, 2003. OAR asked for any information regarding telephone conversations between the respondents and the Electronic Filing Office ("EFO") staff about the issues raised in the challenge.

In his March 22, 2004 response, the ITD Manager states that, after the "respondents successfully uploaded the 2002 Pre-General Report" on October 18, 2002, "Maureen Corkery called the EFO" staff on October 21 "because she had not received a faxed filing confirmation receipt." During their conversation, "Ken Lally confirmed ... that the report had been received." The EFO logs next show that "a series of telephone conversations occurred on January 2, 2003 between Mr. Lally ... Ms. Corkery and Ms. Philiponis." In the first conversation,

Mr. Lally and Ms. Corkery had a conversation regarding E-Filing. Ms. Corkery had received a letter ... indicating that she was late with her 2002 30 Day Post General Report. She stated that she had never received a fax confirmation receipt for the ... Report. She also mentioned that she forgot to follow up with the EFO regarding the fax problem because of the holidays. Mr. Lally instructed Ms. Corkery on how to submit the 2002 30 Day Post General Report.

In their second conversation, "Ms. Corkery ... was having more trouble uploading" the report and

was receiving a message ... that the report-id number of the original filing was invalid. She had amended the report in FECFile prior to filing it. Because the electronic filing system will not accept an amended report if it is not amending a



previously filed report, it was necessary to remove the amendment designation from the report and upload it as a new report. The filing was received ... and identification number FEC-69848 was assigned.

Ms. Philiponis then called and said "she did not receive the fax confirmation receipt ... showing the report had been received by the FEC. The EFO [staff] confirmed that the report had been received and was available on the FEC website." Addressing the issue of the fax confirmation receipts, the ITD Manager notes that

the fax server issue ... was caused by hardware problems that eventually [led] to replacement of the server. The impact of a fax server outage on the filer depends on whether a filing is successful or not successful. A filing which is successful - it is received by the electronic filing system, passes the validation program, and is displayed on the FEC website - would normally generate a fax confirmation receipt. No receipt would be sent during the time that the fax server was not operating correctly. A filing which is unsuccessful displays the failure message on the upload screen with a specific message indicating the reason for the failure. Most unsuccessful filings also generate a fax rejection notice. No rejection notice would be sent during the time that the fax server was not operating correctly.

The ITD Manager indicates that the "fax system problems that interfered with the faxed receipts also prevented a 12-hour late filer notification for the 30-day Post General Report being sent to the respondents."

With respect to the Exhibits, the ITD Manager explains that the

screenshot showing the "Filed On" date ... does *not* indicate that the report was uploaded to the FEC on November 26, 2002. It displays a date keyed in by the filer to indicate to the software that the report is complete and ready to upload. It has no direct relationship to the actual upload date. The true date that a report is uploaded ... is indicated on the screen during the upload process, in the emailed or faxed confirmation receipt, and in the Electronic Filing database. Based on the "A1:30 Day Post-General" displayed in the [screenshot] supplied by the respondents, it appears that the committee was attempting to file the report as an amendment (A1:) rather than a new report, a mistake repeated on January 2, 2003. If this is the case, the error message displayed on the screen during the attempted upload would have been: "ERROR: Invalid Superseded specification Failed." This is most likely the same error that led to the January 2, 2003 11:30 am phone call from Ms. Corkery to the EFO. This error normally also generates a rejection notice.

### Analysis of Challenge

The 30 Day Post-General Report was electronically filed on January 2, 2003, 28 days late.

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee shall file a 30 day post-general election report no later than 30 days after the general election which shall be complete as of the 20<sup>th</sup> day after the general election. 2 U.S.C. § 434(a)(4)(A)(iii) and 11 C.F.R. § 104.5(c)(1)(iii). 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. § 104.5(e). The treasurer shall be personally responsible for the timely and complete filing of reports. 11 C.F.R. § 104.14(d).

According to the respondents, they called the EFO staff when they did not receive a fax confirmation receipt for the 12 Day Pre-General Report after filing it on October 18, 2002. The EFO staff confirmed that the report had been received and told Ms. Corkery that they "are having problems with their Fax Server." On November 26, after she saved the 30 Day Post-General Report to a diskette, Ms. Corkery took the diskette to the only computer in her office that had internet access to upload it to the Commission. As she was uploading the report, she realized that a correction needed to be made. To correct the "out of balance totals," she "went into the file to amend the report" and, after amending it, sent it to the Commission. As evidence that she filed it that day, the respondents provided screenshots of the software showing the November 26 "Filed On" date.

Upon her return to work after the holidays, Ms. Corkery discovered, as a result of RAD's Non-Filer Notice, that the Commission had not received the report. She and Ms. Philiponis called the Committee's Analyst that same day who explained that an amendment "indicated by an A1 can only be sent when an original file was previously received." He forwarded their call to the EFO staff who told them that Ms. Corkery should "unamend the report, close the report, and ... verify totals before submitting it." Upon doing so, Ms. Corkery successfully filed the report. The EFO staff also suggested that, after they upload future reports, they check the Commission's website to confirm that the reports were successfully uploaded "since the FEC was having problems with their Fax server since October 2002." Counsel contends that, had Ms. Corkery been notified on November 27 that the filing was not successful, she "would have taken the exact same steps she took on January 2, 2003 to correct the filing."

According to the ITD Manager, the "Filed On" date (shown in the Exhibits) is not the "actual upload date" but is the date "keyed in by the filer" which means that the report is "complete and ready to upload." The actual date that the report is uploaded is shown "on the screen, in the ... faxed confirmation receipt, and in the Electronic Filing database." He points out that the name of the report shown in two Exhibits, "A1:30 day Post-General," indicates that the respondents may have been trying to "file the report as an amendment (A1:) rather than a new report" in November and January. If that is what happened, they would have been notified in two ways that the attempted uploads were not successful: the error message, "ERROR: Invalid Superseded specification Failed," would have been displayed on their screen and they would have been sent a fax rejection notice.

It is the practice of the Commission's EFO to send an electronic or fax notice acknowledging the receipt and acceptance of electronic filings, or, as stated above, a fax notice of rejection of the submissions. It is also the EFO's practice to send an electronic or fax notice the day after a report's due date to electronic filers if their report had not been received. Electronic filers can opt to receive these notices via fax rather than electronically. In articles at the "Electronic Filing" section of its website and in the FECFile User's Manual, the Commission also tells filers that they should contact the EFO if they do not receive the confirmation receipt within a few minutes after they file the report.

Based on the challenge and its Exhibits and the EFO staff's record of his conversations with the respondents on January 2, 2003, the ITD Manager explains that

the respondents were not able to successfully upload the 30 Day Post-General Report on November 26, 2002 because they saved it as an amended rather than a new report. Because the Commission's electronic filing system does not accept an amended report if the new report was not already filed, the FECFile software generates two error messages: one error message is displayed on the filer's screen and the other error message is sent to the filer as a fax rejection notice. The respondents would have received the error message displayed on their screen when they tried to upload the report as an amendment; however, they were not sent the fax rejection notice because of the fax server problems. In addition, they did not receive the 12-hour notification that the 30 Day Post-General Report had not been received.

While the respondents' counsel believes that an "unknown glitch in the FEC's software" caused the report to be rejected on November 26, the Reviewing Officer believes that the FECFile software did not contribute to the late filing of the report. Had the respondents corrected the "out of balance totals" and either, correctly saved the report as a new instead of an amended report, or contacted the EFO when the error message was displayed on the screen, they would have successfully uploaded the report on November 26, 9 days early.

The Reviewing Officer recognizes, however, that there were hardware problems with the fax server during this period. As a result, the respondents were not sent a fax confirmation receipt after successfully uploading the 12 Day Pre-General Report, were not sent a fax rejection notice on November 26, nor were they sent a 12-hour late filer fax notification on December 6. Had the respondents been sent a fax rejection notice on November 26, the respondents could have contacted the EFO staff for help with the amendment indicator and filed the 30 Day Post-General Report either, on November 26, 9 days early, or by the December 5 due date. The Reviewing Officer, therefore, recommends that the Commission take no further action and close the file.

### **OAR Recommendations**

- (1) Take no further action in AF# 916 that the Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer, violated 2 U.S.C. § 434(a) and close the file; and
- (2) Send the appropriate letter.

### **Attachments**

- Attachment 1 - Challenge Received from Respondents
- Attachment 2 - Supplemental Request Sent to and Response Received from ITD
- Attachment 3 - Declaration from RAD
- Attachment 4 - Written Record of Telephone Conversation Provided with  
RAD Declaration
- Attachment 5 - Declaration from OAR

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MAYDAD D. COHEN (DC ONLY)

MARTIN F. O'DONOGHUE  
(1902-1973)  
PATRICK C. O'DONOGHUE  
(1930-1979)  
JOSEPH P. BOYLE  
(1954-1998)

May 30, 2003

FEC's Office of Administrative Review  
999 E. Street, N.W.  
Washington, D.C. 20463

**Re: Plumbers Union Local 690 PAC's Challenge to RTB Finding And  
Calculated Civil Money Penalty AF#916  
C00252825**

Dear Sir or Madam:

This letter brief is submitted in support of Plumbers Union Local 690 PAC's Challenge to the FEC's RTB Finding and the proposed Calculated Civil Money Penalty. The reasons for reversing the FEC's RTB finding are set forth below. Most importantly, Plumbers Union Local 690's PAC filed the report on time. In fact, Plumbers Union Local 690's PAC filed the thirty-day post general report nine days early; not twenty-eight days late. Unfortunately, an unknown glitch in the FEC's software rejected the report filed on November 26, 2002. Thus, what occurred was not a failure to file, but rather a failure to connect.

A review of Plumbers Local 690 PAC's previous filings will confirm that this Union has never filed a required FEC report late. Since 1973, Maureen Corkery, the Plumbers Union Local 690 employee responsible for filing the FEC reports, filed every report on time. Ms. Corkery's preferred method of filing with the FEC is by manually preparing and mailing the reports. Regrettably from her perspective, the FEC in the past several years started insisting that the reports be filed electronically. Until the FEC's December 23, 2002 Mailgram, Ms. Corkery believed that the report had been filed on November 26, 2002. Ms. Corkery's sworn Declaration sets forth unequivocally that she submitted the report on November 26, 2002. The FEC first notified Plumbers Local Union 690's PAC by Mailgram dated December 23, 2002 that the report might not have been received. The PAC did not know that its November 26, 2002 computer submission did not succeed before it received the Mailgram.

FEC OFFICE OF  
ADMIN REVIEW

2003 JUN - 2 P 2:32

Ms. Corkery first discovered the computer problem when she returned to work after her Christmas and New Year vacation. She immediately contacted FEC's Scott Walker and Ken Lally. They instructed Ms. Corkery about what she needed to do to correct the report and successfully submitted it. On November 26, 2003, Ms. Corkery submitted an amended report believing that she could do so. In her conversation with the FEC's Ken Lally on January 2, 2003, she discovered --for the first time-- that the method she used was not acceptable. According to Mr. Lally, the report could not be sent as an amended document. Therefore, she needed to go in and unamend the report, close the report, and then verify totals before submitting it to the FEC. Following Lally's instructions, she immediately made the changes and submitted the report. It is our understanding that Ken Lally will confirm the problems with the FEC's faxback confirmation system in October and November 2002 and the fact that Ms. Corkery attempted, but later discovered she had failed to submit an amended report on November 26, 2002, a full nine days before it was due.

In addition to the Declaration of Ms. Corkery, Maria Philiponis's Declaration is submitted to confirm the fact that before the report was revised and resubmitted on January 2, 2003, the FEC's records established that an amended report had been sent on November 26, 2002. (See Exhibit 1 to Ms. Corkery's Declaration.). It is requested that light of the unique circumstances that occurred with this filing, the FEC not seek a civil penalty in this matter. Now that Ms. Corkery is aware of how to amend or correct a submission, the problem that occurred on November 26, 2002 will not reoccur. Moreover, given the fact that the late notification was sent and received during the Christmas holidays, it is requested that at a minimum, any penalty imposed exclude a daily fine. The chronology of events in this case establish that once Ms. Corkery became aware of the computer glitch, she immediately contacted the FEC to work through the problem and confirm the report's receipt. If she had been notified on November 27, 2002, she would have taken the exact same steps she took on January 2, 2003 to correct the filing. Likewise, if the Mailgram notice had not been sent and received during the Christmas and New Year's holidays, it would have been corrected much earlier.

If you have any questions or need additional evidence, including speaking directly to Ms. Corkery or Ms. Philiponis, please let me know. Thank you for your consideration.

Very truly yours,



Robert P. Curley

RPC/tmn

cc: Edward C. Keenan

## DECLARATION OF MAUREEN CORKERY

I, Maureen Corkery, do hereby declare and verify under penalty of perjury pursuant to 28 U.S.C. Section 1746 this 38<sup>th</sup> day of May, 2003, the following:

1. I am employed by Plumbers Union Local 690 and have been filing the FEC reports for the Union since 1993.
2. Prior to October 18, 2002 there was never a problem with any of the reports filed.
3. For approximately ten years, I typed the reports manually and filed them with the FEC. Approximately two years ago, however, the FEC ordered that the reports would have to be filed by using the FEC's software and the internet.
4. On October 18, 2002, when I filed the twelve-day pre-election report, it was received by the FEC, but I did not receive a faxed confirmation from them. I contacted Ken Lally regarding the Fax confirmation. He stated they are having problems with their Fax Server. On November 26, 2002, I then filed a thirty-day post-general report.
5. Because I do not have internet connection on my computer, I completed the report and then download it to a disk, which I take to the one computer in the Union that has internet connection and upload it there to the FEC site. On November 26, 2002, when I first tried to upload the thirty-day post-general report, I noticed that the report required a correction due to out of balance totals. I went into the file to

amend the report. After I amended the report on November 26, 2002, I sent it to the FEC.

6. Attached as Exhibit 1 is a screen shot of the original copy of the FEC filing in the union's computer. It shows that the thirty-day post-general report was filed as a A1 (Amended Report) on November 26, 2002. It was not until the Union received the mail gram dated December 23, 2002, which was received sometime later, that it was discovered that the Amended Report I filed on November 26 apparently did not go through.

7. I was on vacation from December 23 until I returned from the Christmas and New Years Holiday to the office on January 2, 2003. after phone conversations with Scott Walker and Ken Lally it was discovered that the report that was sent as an amendment did not go through on November 26.

8. On January 2, 2003, we first spoke to Scott Walker, our FEC analyst, who then referred us to Ken Lally. Ken Lally advised us on January 2, 2003 to check all future uploads on the [www.fec.gov](http://www.fec.gov) site to confirm whether or not our report went through. Lally also stated that the fax server was down during that period. Until January 2, 2003, I was not aware that I could use the FEC website to verify whether or not a report was successfully transferred to the FEC. On January 2, 2003, I successfully submitted the thirty-day post general report with the assistance of Ken Lally. Attached as Exhibit 2 is a printout, which shows the report's new receipt date.

9. Ken Lally who is a Tech Specialists employed by the FEC has records of our phone calls on October 18, 2002 and January 2, 2003.

10. In all the years that I prepared reports by typing them and submitting them manually, I never had any problems. If the balances did not match, I could fix them and send them off.

11. When I became aware that there was a problem with the report submitted on November 26, 2002, upon my return from the Holidays, I immediately addressed the matter with our FEC Analyst and Tech Support and resubmitted the report.

12. That I certify under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. §746.

Maureen Corkery  
Maureen Corkery







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Applicant Name	Year	Coverage	Paid	Election Date	Filing Date	Signed By	Election State	Opponent Party	Closing
July 31 Mid Year	01/01/2001 - 06/30/2001			07/27/2001		Keenan, Edward C.		37449.91	37233.74
January 31 Year End	07/01/2001 - 12/31/2001			01/21/2002		Keenan, Edward C.		37298.74	39233.55
April 15 Quarterly	01/01/2002 - 03/31/2002			04/10/2002		Keenan, Edward C.		37233.59	44551.85
July 15 Quarterly	04/01/2002 - 06/30/2002			07/11/2002		Keenan, Edward C.		44590.89	45240.35
X1 October 15 Quarterly	07/01/2002 - 09/30/2002			03/24/2003		Keenan, Edward		45240.18	44676.45
12 day Pre-General	10/01/2002 - 10/15/2002			11/05/2002		Keenan, Edward C.		44676.45	43175.45
30 day Post-General	10/17/2002 - 11/25/2002			11/05/2002		Keenan, Edward C.		43176.45	11836.95
January 31 Year End	11/26/2002 - 12/31/2002			01/21/2003		Keenan, Edward C.		11830.53	25428.37
April 15 Quarterly	01/01/2003 - 03/31/2003			04/30/2003		Keenan, Edward C.		25428.37	41461.22
July 15 Quarterly	04/01/2003 - 06/30/2003					Keenan, Edward C.		41461.22	33275.25

[illegible]

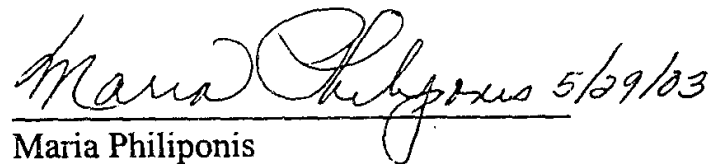
## DECLARATION OF MARIA PHILIPONIS

I, Maria Philiponis, do hereby declare and verify under penalty of perjury pursuant to 28 U.S.C. Section 1746 this 29<sup>th</sup> day of May, 2003, the following:

1. I am employed by Plumbers Union Local 690 Industry Funds as a Computer Systems Analyst.
2. Since the FEC requires Plumbers Union Local 690 to file its report electronically, Maureen Corkery came to me in October 2002, asking if I could help her in anyway with several problems she experienced using the FEC software.
3. The first problem occurred in October when Maureen did not receive a fax back from the FEC confirming a report filing on October 18, 2002. The second time I was consulted occurred on January 2, 2003 when Maureen had attempted to upload an Amended thirty-day post general report file to the FEC but received an error.
4. On January 2, 2003, Maureen and I contacted Scott Walker, who is Plumbers Union Local 690's Analyst with the FEC, explaining the problem that when sending the Amended file caused an upload error. Scott Walker explained that an Amended file, indicated by an A1 can only be sent when an original file was previously received by the FEC. Scott recommended that Ken Lally, who is a Tech Specialist, assist in various steps to unamend the report so that it could be submitted correctly. In this process Ken Lally recommended making a copy of the

file before any modification were made thus having an original copy on hand. The attached screen shot, labeled Exhibit 1, is a copy of the file before modifications were made on the resubmitted file. An attempt was made to open a file in the Archive directory but the FEC software does not allow this process.

6. It was then recommended by Ken Lally to verify via FEC.GOV website the receipt of any future uploaded files to the FEC since the FEC was having problems with their Fax server since October 2002.

 5/29/03  
Maria Philiponis



24.09.355.3864

ELECTRIC - bads / pos / PLUMBING - CF									
Type	Contract	Contract No.	Contract Date	Filed on	Filed by	Electron cycle	Opening Path	Close	
July 31 Year End	07/01/2001 - 12/31/2001	07/01/2001 - 12/31/2001	07/21/2001	Keenan, Edward C.	Keenan, Edward C.	37238.74	39233.55	44590.85	
April 15 Quarterly	01/01/2002 - 03/31/2002	01/01/2002 - 03/31/2002	04/10/2002	Keenan, Edward C.	Keenan, Edward C.	39233.59	44590.85	45240.38	
July 15 Quarterly	04/01/2002 - 06/30/2002	04/01/2002 - 06/30/2002	07/11/2002	Keenan, Edward C.	Keenan, Edward C.	44590.89	45240.38	44676.46	
October 15 Quarterly	07/01/2002 - 09/30/2002	07/01/2002 - 09/30/2002	10/02/2002	Keenan, Edward C.	Keenan, Edward C.	45240.38	44676.46	43176.45	
12 day Pre-Gen. et al.	10/01/2002 - 10/16/2002	10/01/2002 - 10/16/2002	11/05/2002	Keenan, Edward C.	Keenan, Edward C.	44676.46	43176.45	11830.99	
At 30 day Post-Gen. et al.	10/17/2002 - 11/25/2002	10/17/2002 - 11/25/2002	11/05/2002	Keenan, Edward C.	Keenan, Edward C.	43176.45	11830.99	17368.70	
January 31 Year End	11/26/2002 - 12/31/2002	11/26/2002 - 12/31/2002		Keenan, Edward C.	Keenan, Edward C.	11830.99			



**DECLARATION OF LISA J. STOLARUK**

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 research conducted with regard to the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to the Plumbers Union Local 690, Plumbing & Pipefitting IND US & CAN Local Election POL ACT Fund:
  - A) Prior Notice dated September 30, 2002 and November 8, 2002 referencing the 2002 30 Day Post-General Report;
  - B) Non-Filer Mailgram dated December 23, 2002 referencing the 2002 30 Day Post-General Report;
  - C) Reason-to-Believe Mailgram dated May 2, 2003 referencing the 2002 30 Day Post-General Report.
3. I hereby certify that I have searched the Commission's public records and find that the Plumbers Union Local 690, Plumbing & Pipefitting IND US & CAN Local Election POL ACT Fund electronically filed the 2002 30 Day Post-General Report with the Commission on January 2, 2003.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 3<sup>rd</sup> day of June, 2003.



Lisa J. Stolaruk  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

# GENERAL ELECTION REPORT NOTICE

## FEDERAL ELECTION COMMISSION

PARTIES AND PACS

September 30, 2002

### I. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 16

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. MAILING DATE <sup>2</sup>	FILING DATE
Pre-General	10/01/02 - 10/16/02	10/21/02	10/24/02
Post-General	10/17/02 - 11/25/02	12/05/02	12/05/02

### II. QUARTERLY FILERS THAT DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 16<sup>3</sup>

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. MAILING DATE <sup>2</sup>	FILING DATE
Post-General	10/01/02 - 11/25/02	12/05/02	12/05/02

#### WHO MUST FILE

Party Committees and PACs must follow the above charts in order to determine whether they must file a report 12 days before the general election on November 5 (the Pre-General Report). All Party Committees and PACs, regardless of financial activity, must file a report 30 days after the general election (the Post-General Election Report).

<sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

<sup>2</sup>Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

<sup>3</sup>Committees that made general election contributions or expenditures before October 1 and did not previously report them must also follow Chart I.

(over)

**IMPORTANT FILING INFORMATION**

In response to the anthrax threat, the US Postal Service is irradiating mail directed to many federal government agencies, including the FEC and the Secretary of the Senate.<sup>4</sup> 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 regular US mail. Alternative methods include:

- Electronic Filing;
- Overnight mail service; and
- Hand delivery.

**24 HOUR REPORT ON INDEPENDENT EXPENDITURES**

Any PAC or Party Committee that makes independent expenditures in connection with an election may also have to file a 24-hour report. This reporting requirement is triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the day of the election. This report is *not* required when a Party Committee or PAC makes a contribution directly to a candidate.

**ELECTRONIC FILING**

Political committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that expect to do so, must submit their reports electronically. For additional information, review the enclosed handout entitled "Electronic Filing," call the FEC's Electronic Filing office at (800) 424-9530 or (202) 694-1642, and visit our web site at <http://www.fec.gov/electfil/electron.html>.

**COMPLIANCE**

- Treasurers of political committees 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.
- Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties ranging from \$125 to \$10,000 (or more for repeat late- and non-filers). For additional information, see the enclosed handout entitled, "Administrative Fine Program," and visit the FEC web site at <http://www.fec.gov/adminfines1.html>.
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.
- Electronic filers who instead file on paper or submit an electronic report that does not pass the validation test will be considered non-filers and may be subject to enforcement actions (including administrative fines).

<sup>4</sup>Committees that support only Senate candidates should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via regular US mail.

# GENERAL ELECTION REPORT NOTICE

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FEDERAL ELECTION COMMISSION

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PARTIES AND PACS

November 8, 2002

**\*\*\*REMINDER**

**REMINDER**

**REMINDER\*\*\***

All party committees and PACs (nonconnected committees and separate segregated funds) must file a Post-General Election Report. Reports sent by registered or certified mail must be postmarked by the mailing date (December 5, 2002); otherwise, they must be received by the filing date (December 5, 2002).

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

**WESTERN  
UNION**

CONFIRMATION OF MAILGRAM TO: EDWARD C KEENAN  
PLUMBERS UNION LOCAL 690, PLUMBING & PIP  
2751 SOUTHAMPTON RD  
PHILADELPHIA PA 19154-1256

CHRIS RITCHIE  
FEDERAL ELECTION COMMISSION  
999 E ST NW  
WASHINGTON DC 20463

DECEMBER 23, 2002

IDENTIFICATION NUMBER: C00252925

REFERENCE: 30 DAY POST-GENERAL REPORT (10/17/2002 - 11/25/2002)

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION (FEC) THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED. YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEC, 999 E STREET, N.W., WASHINGTON, D.C., 20463. A COPY OF THE REPORT OR RELEVANT PORTIONS 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.

DUE TO RECENT EVENTS, THE US POSTAL SERVICE IS EXPERIENCING DELAYS IN THE DELIVERY OF MAIL FOR THE WASHINGTON, DC AREA. CONSEQUENTLY, THE FEC IS NOT IN RECEIPT OF ALL INCOMING MAIL. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT AND CONSIDER USING ALTERNATE DELIVERY SERVICES SUCH AS OVERNIGHT DELIVERY OR DELIVERY BY COURIER. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT [WWW.FEC.GOV](http://WWW.FEC.GOV).

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR 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 SCOTT B. WALKER ON OUR TOLL FREE NUMBER (800) 424-9530. OUR LOCAL NUMBER IS (202) 694-1130.

SINCERELY,

JOHN D. GIBSON  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

## DECLARATION OF SHAWN WOODHEAD WERTH

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 supervise research conducted with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2002 30 Day Post-General Report, covering the period October 1 through November 25, 2002, is due December 5, 2002. If electronically filed, the report must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on December 5 to be filed in a timely manner.
3. It is the practice of the Commission's Electronic Filing Office to maintain an Electronic Filing section on the Commission's web site at <http://www.fec.gov/electfil> for the use of committees and treasurers who are electronic filers. It is also the practice of this Office to send a fax or an electronic notice acknowledging the receipt and acceptance of electronic filings and to maintain the FECFile Version 4.0 Electronic Filing Software User's Manual on the Commission's web site at <http://www.fec.gov/electfil/electron>.
4. I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of:
  - (a) Page 1 of the Summary Page for the 2002 12 Day Pre-General Report electronically filed by the Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer. According to the Commission's records, the report was received on October 18, 2002; and
  - (b) the Summary Pages for the 2002 30 Day Post-General Report electronically filed by the Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer. According to the Commission's records, the report, covering the period October 17 through November 25, 2002, was received on January 2, 2003.
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 11<sup>th</sup> of May, 2004.



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



# Common Electronic Filing Mistakes

## Passwords

- Not getting a password
- Waiting until the last minute to get a password
- Forgetting your password

If you forget to get a password or put it off until the last minute, it may not be possible to get one on a filing deadline day.

If you forget your password, we can't look it up for you. It is encrypted. You have to request another one.

## Attempting a first filing on the filing deadline day

Any problem, be it technical or a matter of non-familiarity with the software, can be difficult to deal with during the rush of a deadline day. Always file as early as possible, especially the first time you file electronically.

## No Receipt, no Filing

After you upload your report electronically a receipt will be sent to you via email or fax. If you do not get the receipt, you must assume that you have not successfully filed. Call the electronic filing office - 202-694-1321 - if more than a few minutes pass with no receipt.

The receipt is proof of filing. Print it out, keep it.

## Validate early and often

Don't wait until the last minute to validate your filing. Validation will find problems that you might not have noticed. If you validate on a regular basis, you will run much less risk of finding a long list of problems to resolve before uploading is possible.

## Wrong Report Type

One of the most common mistakes in electronic filing is filing a report with the wrong report designation. For example, filing a report that covers 1/1/2001 to 6/30/2001 and calling it a "First Quarter" report or a "May Monthly" report instead of correctly identifying it as a "July 31, Mid Year" report.



## Federal Election Commission

[Select another section of this site](#)[GO](#)

## Electronic Filing FAQ

### Table of Contents

1. General Information
2. Paper vs. Electronic filing
3. Passwords
4. Submitting an electronic filing

### General Information

**Question:** Can I begin electronic filing at any time of the year?

**Answer:** Yes... but for aggregate amounts and summary totals to be correct, previous information must be entered either completely or in total amounts. For example, a person who has made three previous contributions during the current year and one during the current reporting period would require either all four contributions, or the current contribution plus a single contribution for the total amount of the three previous contributions be entered. In the second case, the lump sum contribution must be dated in a previous period but the exact date is not relevant for aggregation purposes.

Unitemized contributions from sources that will not reach the itemization threshold during the year can be entered as a single lump sum. This entry need not be attributed to a particular individual or organization. After adding the lump-sum transaction, choose "Itemize" from the edit menu. The itemize feature toggles so that choosing it a second time marks the transaction as itemized. Important! If you enter the data this way, the program cannot track aggregates for those whose transactions are not attributed to them. If one of these people eventually goes over \$200 and requires itemization, their transaction amounts must be removed from the lump-sum unitemized transaction and entered into their own record (as individual transactions or a lump sum as described above.)

**Question:** What information from my report is displayed on the Internet?

**Answer:** The entire report is made available. The information is presented in several ways. The data is displayed in HTML format and also goes through a virtual scanning procedure and displayed with the scanned images of paper reports. To differentiate between paper and electronically filed reports, the Name of the Treasurer on the summary page of electronically filed reports is preceded by "Electronically filed by".

**Question:** What are my options for preparing an electronically filed report?

**Answer:** FECFile is software available at no cost from the FEC. Commercial



software is available and electronic filing tools are available to programmers for incorporating into their software.

**Question:** What are some advantages of electronic filing?

**Answer:**

▶ **Instant confirmation of submission**

Moments after filing, you will receive a fax or email or both that confirms that your file was not only received by the FEC but was in the accepted format. Included in this receipt are the filing number, necessary for filing amendments, and a checksum number that indicate that the file was not altered in transit.

▶ **Validation features look for missing information prior to filing**

Missing information such as employer, occupation and address is displayed by FECheck, the electronic filing validator. These are "level 4" errors that will not prevent a filing from being accepted by the FEC. Other, more serious errors such as missing signatory and invalid file format cause higher error levels and must be corrected prior to filing.

▶ **Remove third party delivery from the reporting process**

Information filed electronically travels a direct path from your computer into the FEC database. There is no possibility of the report being lost "in the mail". All reports whether paper or electronic are entered into the FEC database. Information from paper reports is keyed into the system manually. Electronic files are sent directly into the system automatically thus offering electronic filers the maximum control over the permanent record.

▶ **Amendments are very easy**

Filing an amendment is as simple as making the necessary changes to existing transaction or adding new ones and filing again. The details vary slightly depending on the software you use but the process is very simple.

▶ **Aggregates and Summary information calculated for you**

Year-to-date aggregates are tracked by the software and transactions are itemized automatically when the \$200 threshold is reached. The line totals on the summary page are calculated automatically based on the data entered for the corresponding schedules.

**Question:** Will contributor names and addresses be available on the internet?

**Answer:** Yes. They are available when filed on paper as well.

**Question:** How do I "sign" my electronic filing?

**Answer:** A report submitted via the internet or modem requires a password instead of a signature. (The Treasurer's signature is required to receive a password). Reports filed on 3.5" floppy diskette must be accompanied by a signed summary page.

**Question:** How much does FECFile cost?

**Answer:** Nothing. It is absolutely free.

**Question:** How do I get FECFile?

**Answer:** You can download it Or we can send it by mail.

**Question:** Can I print Reports on paper with FECFile?

**Answer:** Yes. Paper reports can be printed and used for fact checking purposes, State filings or filing amendments to reports that were originally filed on paper.

**Question:** Is help available for FECFile?

**Answer:** Yes. If you have electronic filing questions or need help with any aspect of electronic filing, call the electronic filing help line, 800-424-9530 ext. 1642 or 202-694-1642.

**Question:** When I order FECFile does that obligate me to file electronically?

**Answer:** No. Downloading, installing and using the software in no way obligates you to file electronically. Once you actually actually file electronically, you are obligated to continue filing for the remainder of the calendar year.

**Question:** Does FECFile store my contributor information?

**Answer:** Yes. FECFile stores names, addresses and transactions.

**Question:** Does FECFile come with a printed user manual?

**Answer:** No, but you can download a PDF file that contains the entire manual.

**Question:** Is FECFile available for Presidential committees

**Answer:** No. It does not support Form 3P. Presidentials that accept matching funds MUST file electronically but may not use FECFile.

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## Paper vs. Electronic Filing

**Question:** Once I file electronically can I switch back to paper?

**Answer:** Electronic filers are required to finish out the filing year before going back to paper.

**Question:** Can I amend a paper filing electronically?

**Answer:** No, but FECFile allows you to print an amendment when necessary.

**Question:** Should I submit paper forms as well as electronic?

**Answer:** No. The paper filing would be received after the electronic and thus not be considered an official filing.

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## Passwords

**Question:** Can anyone get a password to file electronically?

**Answer:** Only the current official treasurer and treasurer's assistant as listed in

the FEC records may obtain passwords. Obtaining a password requires a request on official committee letterhead for each password. The treasurer must sign all requests and if the password is for an assistant, the assistant must sign as well.

**Question:** If I forget my password, what should I do

**Answer:** You are the only one who knows your password. If you forget you must obtain a new password from the electronic filing office following the request procedure outlined above.

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## Submitting an electronic filing

**Question:** How do I submit an electronic filing to the FEC?

**Answer:** The software you use to file electronically will have a validator to make sure your report passes certain basic criteria. The report will not pass validation if there is a major problem such as incorrect file structure or a missing Treasurer's name. It also has an upload feature that automatically sends the report to the FEC via Internet connection or modem or to a 3.5" floppy disk (No other magnetic media are accepted)

**Question:** Can I email my filing to the FEC?

**Answer:** No. Email is not secure enough for that and there is no way to automatically validate and accept or reject an emailed file.

**Question:** How do I know the FEC has my filing?

**Answer:** When you upload a filing to the FEC, you receive an instant email and/or fax confirming receipt of the report. It includes a validation number to match against your own validation number to confirm that the report was not altered in any way in transit. It is important that you keep this email or fax for your records. You may also visit the FEC web site and see your filing on the web.

**Question:** What goes in the "Filing ID" field on the Report Information screen?

**Answer:** This information is entered *after* filing a report. The email or fax confirmation will include a report ID such as FEC-1234. This ID should be entered into the Filing ID field. If the report ever needs to be amended, this is the information that is entered on the upload screen under "This filing amends."

**Question:** What are the Configuration screen settings for uploading?

**Answer:**

- ▶ For uploading via the Internet: (These settings are case sensitive and must be entered exactly as indicated)

TCP/IP Hostname: fecef1.sdrdc.com

Agency ID: FEC

- ▶ For uploading via Modem:

COM Port: 2 is the default and the most common modem com port. It could vary.

BAUD Rate: 19200 is the default. Try 14400 if this does not work.

Dialup string: ATDT12027372293

Agency ID: FEC

[Back to Top](#)

---

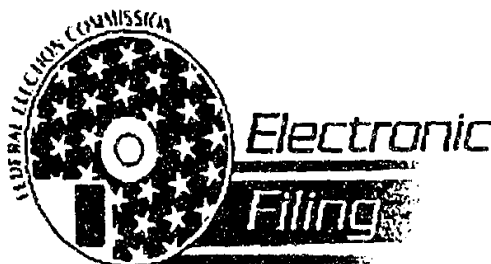
Updated 07/09/2001



Federal Election Commission | 999 E Street, NW | Washington, DC 20463  
(800) 424-9530 | In Washington (202) 694-1100  
For the hearing impaired, TTY (202) 219-3336

Send comments and suggestions about this site to: [webmaster@fec.gov](mailto:webmaster@fec.gov)  
[FEC Privacy Policy](#) | [Viewing Requirements](#)

# Chapter 6 - File Submission



When all transactions have been entered for a given report, and the deadline for reporting is drawing near, it is a good time to take inventory of the pieces of the reporting puzzle that must be assembled in order to file electronically. This chapter addresses what is needed for electronic filing, and the process for doing the filing.

## *Base Filing Requirements*

- ⇒ You must have your FEC electronic filing password. Without this, you cannot file. Call the FEC electronic filing office if you do not have or cannot remember your password.
- ⇒ You must have a modem and phone line connection for dial up, or a network connection to the Internet. (In rare instances, when you have no other option, there is the possibility of filing via diskette).
- ⇒ Your report must pass validation.

## *Signing and Dating the Report*

If the report is not properly signed and dated, the validator will note that the information is missing and generate Level 12 (serious level) errors, and uploading will not be possible. If you are not ready to actually upload the report, but want to validate it, you may want to leave the report date blank.

- ⇒ If errors are found that are level 8 or higher, you will not be allowed to upload the report.
- ⇒ If errors are found that are below level 8, you will receive a warning on the screen that notifies you of the errors and asks if you wish to continue. It is advisable to correct as many of the errors as possible before filing.
- ⇒ If no errors are found, or you indicate that you wish to file the report with errors, the *Upload Settings* screen appears (fig. 6-2).

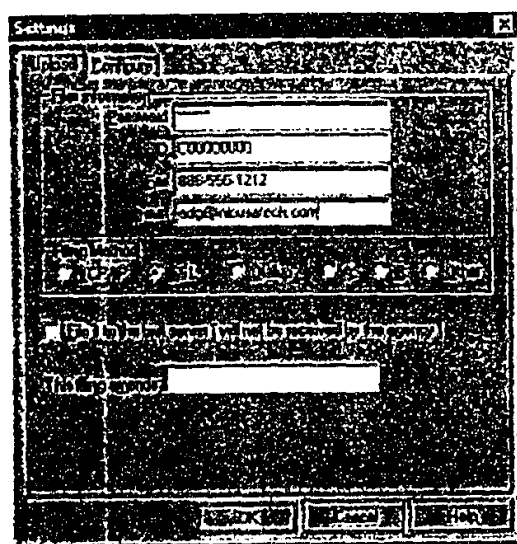


Fig. 6-2

### *Password*

The *Password* is required and must be obtained from the FEC electronic filing office. (See Appendix I)

### *ID*

The *ID* is your committee ID which should already be in the system. If not, enter your 9 digit committee ID (the one that starts with "C00").

### *Fax and E-mail*

A *Fax number* and/or *Email address* is required. This is how you will receive the confirmation that the report has been received by the FEC. If you enter both, you will receive both.

## *Filing Method*

### *TCP/IP*

This option sends your report to the Commission via the Internet. This is the simplest way to send the report if you are connected to the Internet and have no security measures in place that would prevent you from uploading via the Internet. The *configure* tab has information the software uses to communicate with the FEC electronic filing system. The *TCP/IP host name* should be *fecefl.sdrdc.com* (all lower case), and the *Agency ID* should be *FEC* (all upper case). The software defaults to these settings. If they are changed, they must be reset to the defaults in order to upload the report.

### *Dialup*

The Dialup option utilizes a direct modem-to-modem communication between your computer and the FEC electronic filing system. It is slightly less convenient than TCP/IP because it requires some special information on the configuration tab (Fig 6-3) that may not be readily available. This option can be used for filers who have no Internet connection or those who have special firewall or proxy server restrictions against uploading files via the Internet.

### *Dialup string*

The *Dialup string* is a series of letters followed by a phone number. This information is passed to your modem to enable it to connect with the FEC modem pool.

### *Agency ID*

This information is used to direct the filing to the proper part of the electronic filing system. The default entry is FEC. There is no need to edit this entry.

## *During the Filing Process*

When you choose *OK*, the file is uploaded to the FEC electronic filing server. On your screen you will see a series of messages telling you what is happening. If at any point during the process, something is found to be incorrect, the process will be terminated and the word *FAILED* will appear at the bottom of the screen. The most common failures are incorrect passwords (The password *IS* case sensitive) and uploading without first connecting to the Internet (TCP/IP only). If the upload process generates a *FAILED* message at any point, call Tech Support.

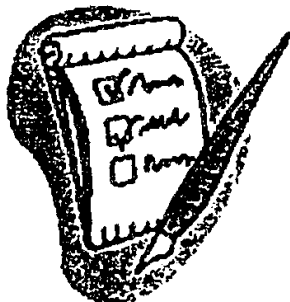
If the password is correct, and there are no other reasons to reject the file (the Validator usually eliminates most other problems), the last line of the message is *Succeeded*. At this point you know that your file has been received by the FEC. This does not mean that the file has been *accepted*! If the file is accepted, you will receive a fax or email within a few minutes notifying you that the filing was accepted. If you don't receive this notification, you should call the electronic filing office immediately.

When you receive your notification you will recognize it as the same printout that the validator provided. It should in fact be nearly identical. The MD5 Checksum number should match exactly. Example:

The only difference between this notification and the one you print out from the validator is the addition of a block of information about filing date and time and a Filing ID number. This number is assigned when the report is received and it is important. If you find that you must amend this report, you must provide the Filing ID of the report. The Filing Id is automatically saved inside your file, after you upload. You may look up the Filing Id by activating the Reports View, Selecting Edit, and clicking Close Report. There is a field that will hold the Filing Id of the report.

NOTE: The Faxed or emailed receipt is your official receipt and should be kept just as you would keep a certified mail receipt. This is proof that you filed your report.





## Review - Chapter 6

1. **Password!** You must have a password to file electronically.
2. You must "sign" the report by indicating the treasurer or assistant treasurer.
3. Entering a *Filed on* date is required prior to filing, but doing so does *not* upload your report to the FEC!
4. Reports may be uploaded via the Internet or by direct modem connection.
5. When a report is uploaded and accepted by the FEC, you will receive a fax or email confirmation. If you do not receive the confirmation, call the FEC electronic filing office!

## Chapter

# 7

## – Amending Reports & Notices



There are three types of reports produced by FECFile that are related to the Form 3 and Form 3x reports. An amended report is based on a previously filed report a 48-hour or 24-hour notice are special reports that contain information that will be reported on the next Form 3/3x report filed. In FECFile, both require that a current or previous report be available on the *Reports View*. Little additional data entry is required for these reports, as the bulk of the information is often already entered.

### *Amendments*

**ONLY ELECTRONICALLY FILED REPORTS CAN BE AMENDED ELECTRONICALLY!**

If the report you are amending was originally filed on paper, you cannot file your amendment electronically.

When you filed your original report electronically, you received a faxed or emailed confirmation from the FEC that included a *Filing ID* number. The Filing ID is in the format "FEC-XXXX" where the Xs represent numbers. Please keep this confirmation for your records. This number is automatically saved for you upon a successful filing, making the amendment process easier. (Fig 7-1) Notice that the *filing id* field is grayed out. You cannot alter this id.

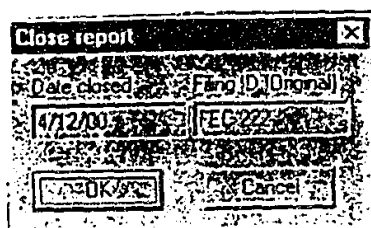


Fig 7-1

## Creating an amendment

- ⇒ Go to *View, and Reports*.
- ⇒ Right click on the report you wish to amend and choose *Amend*. The report screen that opens should already have most of the correct information. (Fig 7-2)
- ⇒ If the treasurer's name is being changed as part of the amendment, change it here.
- ⇒ Choose *OK* to create the amended report. Select *Yes* to modify the selected report.

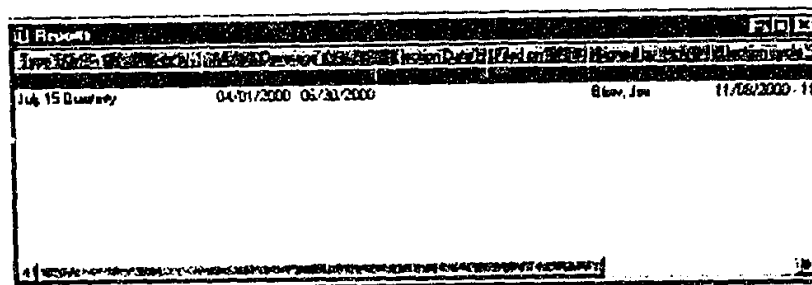


Fig 7-2

Your report will now have an A1, A2... in front of it; A1 is for the first amendment A2 is for the second amendment. Any subsequent amendments will have "A" and the appropriate corresponding number of the amendment. If you have any reports that were already *closed* and *filed* FECfile will automatically generate amendments for those reports. Example: There are three reports filed to date. The Quarter 1 dated 1/1/01 to 3/31/01, the Quarter 2 dated 4/1/01 6/30/01 and the Quarter 3 dated 7/1/01 to 9/30/01. All three reports are closed and have been filed electronically. You need to amend the Quarter 1 report, after filing the amendment for this report all the subsequent filed reports will generate automatic amendments. To find out if you need to file any of these automatically generated amendments; contact the Reports and Analyst Division at the Federal Election Commission.

FEC  
FORM 3XREPORT OF RECEIPTS  
AND DISBURSEMENTS  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Plumbers Union Local 690 Political Action Committee

ADDRESS (number and street)

2791 Southampton Road

Check if different  
than previously  
reported. (ACC)

Philadelphia

PA

19154

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE

C00252625

3. IS THIS REPORT X NEW (N) OR AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1) Feb 20 (M2) May 20 (M5) Aug 20 (M8) Nov 20 (M11) (Non-Election Year Only)

July 15 Quarterly Report (Q2) Mar 20 (M3) Jun 20 (M6) Sep 20 (M9) Dec 20 (M12) (Non-Election Year Only)

October 15 Quarterly Report (Q3) Apr 20 (M4) Jul 20 (M7) Oct 20 (M10) Jan 31 (M13)

January 31 Quarterly Report (YE) Election on 11 05 2002 in the State of PA

July 31 Mid-Year Report (Non-election Year Only) (MY) (c) 12-Day PRE-Election Report for the: Primary (12P) X General (12G) Runoff (12R)

Termination Report (TER) (d) 30-Day Post-Election Report for the: Convention (12C) Special (12S) General (30G) Runoff (30R) Special (30S)

Election on in the State of

5. Covering Period 10 D1 2002 through 10 18 2002

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 Edward C. Keenan

Signature of Treasurer Electronically Filed by Edward C. Keenan Date 10 18 2002

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  
OnlyFEC FORM 3X  
(Revised 1/2001)

FEC  
FORM 3XREPORT OF RECEIPTS  
AND DISBURSEMENTS  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (in full)USE FEC MAILING LABEL  
OR TYPE OR PRINTExample: If typing, type  
over the lines

Plumbers Union Local 890 Political Action Committee

ADDRESS (number and street)

2791 Southampton Road

Check if different  
than previously  
reported. (ACC)

Philadelphia

PA

19154

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

C00252625

3. IS THIS  
REPORT

X

NEW  
(N)

OR

AMENDED  
(A)4. TYPE OF REPORT  
(Choose One)(b) Monthly  
Report  
Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)  
(Non-Election  
Year Only)

(a) Quarterly Reports:

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12)  
(Non-Election  
Year Only)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (M13)

April 15  
Quarterly Report (Q1)July 15  
Quarterly Report (Q2)October 15  
Quarterly Report (Q3)January 31  
Quarterly Report (YE)July 31 Mid-Year  
Report (Non-election  
Year Only) (MY)Termination Report  
(TER)(c) 12-Day  
PRE-Election  
Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of(d) 30-Day  
Post-Election  
Report for the:

X General (30G)

Runoff (30R)

Special (30S)

Election on

11

05

2002

in the  
State of

PA

5. Covering Period

10

17

2002

through

11

25

2002

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

Edward C. Keenan

Signature of Treasurer

Electronically Filed by Edward C. Keenan

Date 01 02 2003

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  
OnlyFEC FORM 3X  
(Revised 1/2001)

**SUMMARY PAGE  
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Revised 1/2001)

Page 2

Write or Type Committee Name

Plumbers Union Local 690 Political Action Committee

Report Covering the Period: From: 10 17 2002 To: 11 25 2002

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1 2002		39233.50
(b) Cash on Hand at Beginning of Reporting Period .....	43176.46	
(c) Total Receipts (from Line 19) .....	13666.63	103377.69
(d) Subtotal (add lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B) .....	56843.14	142611.29
7. Total Disbursements (from Line 30) .....	45012.15	130780.29
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) .....	11830.99	11830.00
9. Debts and Obligations owed TO the committee (itemize all on Schedule C and/or Schedule D) .....	0.00	
10. Debts and Obligations owed BY the committee (itemize all on Schedule C and/or Schedule D) .....	0.00	

This Committee has qualified as a multicandidate committee. (see FEC FORM 1M)

**For further information contact:**

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Toll Free 800-424-9530  
Local 202-694-1100



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

May 17, 2004

Robert P. Curley, Esq.  
O'Donoghue & O'Donoghue  
325 Chestnut Street, Suite 515  
Philadelphia, Pennsylvania 19106

C00252825  
AF # 916

Dear Mr. Curley:

On April 29, 2003, the Federal Election Commission ("Commission") found reason to believe ("RTB") that the Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2002 30 Day Post General Report in a timely manner. The Commission also made a preliminary determination that the civil money penalty was \$2,400 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. 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,

A handwritten signature in dark ink, appearing to read "Shawn Woodhead Werth".

Shawn Woodhead Werth  
Reviewing Officer  
Office of Administrative Review

Attachment



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20461

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2004 JUN -7 A 9:10

June 4, 2004

**SENSITIVE**

**MEMORANDUM**

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR

ALISON L. DOONE  
DEPUTY STAFF DIRECTOR

FROM: SHAWN WOODHEAD WERTH  
REVIEWING OFFICER  
OFFICE OF ADMINISTRATIVE REVIEW

SUBJECT: FINAL DETERMINATION RECOMMENDATION IN AF# 916 -  
PLUMBERS UNION LOCAL 690 OF THE UNITED  
ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF  
THE PLUMBING AND PIPEFITTING INDUSTRY OF THE  
UNITED STATES AND CANADA LOCAL ELECTION  
POLITICAL ACTION FUND AND EDWARD C. KEENAN, AS  
TREASURER (C00252825)

On April 29, 2003, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer ("the respondents"), violated 2 U.S.C. § 434(a) for failing to file in a timely manner the 2002 30 Day Post-General Report. The report was electronically filed on January 2, 2003, 28 days late. As a result, on April 29, 2003, the Commission also made a preliminary determination that the civil money penalty was \$2,400 based on the schedule of penalties at 11 C.F.R. § 111.43.

On June 2, 2003, the Commission received the respondents' written response, declarations, the designation of counsel statement, and supporting documentation ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated May 11, 2004 was forwarded to the Commission. A copy was simultaneously forwarded to the respondents. According to the information provided in the respondents'



challenge, the Electronic Filing Office ("EFO") logs, and the response from the Manager of the Systems Analysis and Design Branch, there were hardware problems with the fax server during this period. As a result, the respondents were not sent a fax confirmation receipt after successfully uploading the 12 Day Pre-General Report, were not sent a fax rejection notice on November 26, nor were they sent a 12-hour late filer fax notification on December 6. Had the respondents been sent a fax rejection notice on November 26, the respondents could have contacted the EFO staff for help with the amendment indicator and filed the 30 Day Post-General Report either, on November 26, 9 days early, or by the December 5 due date. The Reviewing Officer, therefore, recommended that the Commission take no further action and close the file.

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

#### **OAR Recommendations**

- (1) Take no further action in AF# 916 that the Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer, violated 2 U.S.C. § 434(a) and close the file; and
- (2) Send the appropriate letter.



FEDERAL ELECTION COMMISSION

Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Monday, June 07, 2004 11:00

BALLOT DEADLINE: Thursday, June 10, 2004 4:00

COMMISSIONER: MASON, McDONALD, SMITH, THOMAS, TONER, WEINTRAUB

SUBJECT: **Final Determination Recommendation in AF #916-Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of The Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as treasurer (C00252825) Memorandum from The Reviewing Officer, Office of Administrative Review dated June 4, 2004.**

- ( ) I approve the recommendation(s)
- ( ) I object to the recommendation(s)
- ( ) I abstain from voting on the recommendation(s)
- ( ) I am recused from voting on the recommendation(s)
- ( ) I am not voting on this tally.

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

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Final Determination Recommendation: ) AF #916  
Plumbers Union Local 690 of the United )  
Association of Journeymen and )  
Apprentices of the Plumbing and )  
Pipefitting Industry of the United States )  
and Canada Local Election Political )  
Action Fund and Edward C. Keenan, as )  
Treasurer (C00252825) )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on June 10, 2004, the Commission decided by a vote of 6-0 to take the following actions in AF #916:

1. Take no further action in AF #916 that the Plumbers Union Local 690 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Election Political Action Fund and Edward C. Keenan, as Treasurer, violated 2 U.S.C. § 434(a) and close the file.
2. Send the appropriate letter, as recommended in the Reviewing Officer's Memorandum dated June 4, 2004.

Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

June 10, 2004  
Date

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

**WESTERN  
UNION**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES  
TO: ROBERT P. CURLEY, ESQ.  
O'DONOGHUE & O'DONOGHUE  
325 CHESTNUT ST STE 515  
PHILADELPHIA PA 19106-2605

FEDERAL ELECTION COMMISSION  
ATTN: SHAWN WOODHEAD WERTH  
999 E ST. NW. ROOM 819  
4TH FLOOR  
WASHINGTON DC 20463

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

JUNE 14, 2004

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

ROBERT P. CURLEY, ESQ.  
O'DONOGHUE & O'DONOGHUE  
325 CHESTNUT STREET, SUITE 515  
PHILADELPHIA, PA 19106

ID# C00252825  
AF# 916

DEAR MR. CURLEY:

ON APRIL 29, 2003, THE FEDERAL ELECTION COMMISSION ("THE COMMISSION") FOUND REASON TO BELIEVE ("RTB") THAT THE PLUMBERS UNION LOCAL 690 OF THE UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA LOCAL ELECTION POLITICAL ACTION FUND AND EDWARD C. KEENAN, AS TREASURER, VIOLATED U.S.C. 434(A) FOR FAILING TO FILE THE 2002 30 DAY POST-GENERAL REPORT IN A TIMELY MANNER. BY MAILGRAM DATE MAY 2, 2003, THE COMMISSION SENT YOUR CLIENTS NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT RTB OF \$2,400 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43. ON JUNE 2, 2003, THE OFFICE OF ADMINISTRATIVE REVIEW RECEIVED YOUR WRITTEN RESPONSE, DECLARATIONS, AND SUPPORTING DOCUMENTATION CHALLENGING THE RTB FINDING AND THE CIVIL MONEY PENALTY.

THE REVIEWING OFFICER REVIEWED THE COMMISSION RTB FINDING WITH ITS SUPPORTING DOCUMENTATION AND YOUR WRITTEN RESPONSE WITH ITS SUPPORTING DOCUMENTATION. BASED ON THIS REVIEW, THE REVIEWING OFFICER RECOMMENDED THAT THE COMMISSION TAKE NO FURTHER ACTION AGAINST THE PLUMBERS UNION LOCAL 690 OF THE UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED

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

STATES AND CANADA LOCAL ELECTION POLITICAL ACTION FUND AND EDWARD C. KEENAN, AS TREASURER, WITH RESPECT TO 2 U.S.C. 434(A). THE BASIS FOR THE REVIEWING OFFICER'S RECOMMENDATION WAS INCLUDED IN THE FINAL DETERMINATION REPORT, A COPY OF WHICH WAS SENT TO YOU ON MAY 17, 2004.

ON JUNE 10, 2004, THE COMMISSION ADOPTED THE REVIEWING OFFICER'S RECOMMENDATION TO TAKE NO FURTHER ACTION AGAINST THE PLUMBERS UNION LOCAL 690 OF THE UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA LOCAL ELECTION POLITICAL ACTION FUND AND EDWARD C. KEENAN, AS TREASURER, WITH RESPECT TO 2 U.S.C. 434(A).

IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION

IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION, YOU SHOULD SUBMIT A WRITTEN PETITION, WITHIN 30 DAYS OF THE 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 RESPONDENTS' RIGHT TO PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2 U.S.C. 437G. 11 C.F.R. 111.38.

THE CONFIDENTIALITY PROVISIONS AT 2 U.S.C. 437G(A)(12) NO LONGER APPLY AND THIS MATTER IS NOW PUBLIC. THE FILE WILL BE MADE A PART OF THE PUBLIC RECORD PURSUANT TO 11 C.F.R. 111.42(3). 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 THIS MATTER, PLEASE CONTACT SHAWN WOODHEAD WERTH ON OUR TOLL FREE NUMBER (800)424-9530 (PRESS 0, THEN EXT. 1660) OR (202)694-1660.

SINCERELY,

BRADLEY A. SMITH  
CHAIRMAN

THIS IS THE END OF ADMINISTRATIVE FINE CASE

# 916

DATE FILMED 7-9-04 CAMERA NO. 3

CAMERAMAN IMP