



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via Electronic Mail Only
cg@gobergroup.com

June 28, 2022

Chris Gober
The Gober Group
P.O. Box 341016
Austin, TX 78734

RE: AR 22-02
Mike Braun for Indiana and Thomas Datwyler, Treasurer

Dear Mr. Gober:

The Federal Election Commission (“Commission”), has ascertained information in the normal course of carrying out its supervisory responsibilities indicating your clients Mike Braun for Indiana and Thomas Datwyler in his official capacity as treasurer (“Committee”), may have violated the Federal Election Campaign Act of 1971, as amended (the “Act”). Thus, the Committee has been identified by the Commission for possible enforcement action under 52 U.S.C. § 30109.¹ Specifically, the Commission has recognized that the Committee may have violated 52 U.S.C. § 30104, among other provisions of the Act, for understated disbursements and receipts by \$6,293,50 and \$6,294,482, respectively; Calendar Year (2018), and for failing to correctly disclose loan balances and loan terms for transactions totaling \$11,569,963; Calendar Years (2017, 2018). For further information, a copy of the referral documents is enclosed. We have numbered this referral AR 22-02.

The Act affords you the opportunity to demonstrate in writing that no action should be taken against your clients Mike Braun for Indiana and Thomas Datwyler in his official capacity as treasurer in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission’s consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and § 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with

¹ Notification of this referral is being provided to you pursuant to the Commission’s Agency Procedure for Notice to Respondents in Non-Complaint Generated Matters, as published in the Federal Register on August 4, 2009 (74 Fed. Reg. 38,617).

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other law enforcement agencies.¹ Please note that you have a legal obligation to preserve all documents, records, and materials relating to the subject matter of the complaint until such time as you are notified that the Commission has closed its file in this matter. *See* 18 U.S.C. § 1519.

Any correspondence sent to the Commission, such as a response, must be addressed to **one** of the following (note, if submitting via email this Office will provide an electronic receipt by email):

<u>Mail</u>	OR	<u>Email</u>
Federal Election Commission		cela@fec.gov
Office of Complaints Examination & Legal Administration		
Attn: Christal Dennis, Paralegal		
1050 First Street, NE		
Washington, DC 20463		

As indicated in the FEC's Notice found at <https://www.fec.gov/resources/cms-content/documents/status-of-fec-operations.pdf>, the office's mailroom opens on a limited basis and, therefore, processing correspondence may be delayed. Accordingly, we strongly encourage you to file responses and additional correspondence via email.

If you have any questions, please contact Christal Dennis at (202) 694-1519. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Charles Kitcher
Acting Associate General Counsel
Enforcement

¹ The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).