



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2934

DATE SCANNED 10/15/15

SCANNER NO. 2

SCAN OPERATOR JB



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2015 MAR 31 AM 9:12

March 30, 2015

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *EAP for*
Staff Director

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

Debbie Chacona *for PCO*
Assistant Staff Director
Reports Analysis Division

BY: *KDR* Kristin D. Roser/Sari Pickerall *JP*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation - 2014 30 Day Post-General Report
(Unauthorized Filers) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2014 30 Day Post-General Report in accordance with 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). The list is comprised of unauthorized committees that failed to file or timely file the 2014 30 Day Post-General Report.

The committees appearing on the 30 Day Post-General Report list either failed to file the report, after the due date but within thirty (30) days of the due date (considered a late filed report), 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 indicated in the attachment.

In order to determine the level of activity for unauthorized quarterly filers that failed to file or failed to timely file the 30 Day Post-General Report, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 30 Day Post-General Report (30 Day Report) submitted by an unauthorized quarterly filer that covered the period from October 1, 2014 through November 24, 2014 (55 days),

was reviewed for activity which would have required the filing of a 12 Day Pre-General Report (12 Day Report). If our research indicated that the filing of a 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, if the committee had any unitemized activity, a per diem level of activity was used by multiplying the total amount of activity on the report by 27% (15 days (12G Filing Period)/55 days (30G Filing Period)). The committees identified through this process as failing to file or failing to timely file the 12 Day Report were included in the Reason to Believe Recommendation circulated to the Commission on March 30, 2015. 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 also be assessed a fine for the 30 Day Report based on the estimated levels of activity described above and are included on the attached list.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2014 POST-GENERAL Not Election Sensitive 12/04/2014 UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2924	C00388157	AMERICAN COMPOSITES MANUFACTURERS ASSOCIATION POLITICAL ACTION COMMITTEE		TOM DOBBINS	\$121,785	0	12/17/2014	13	\$8,500	\$120
2925	C00398800	AMERICAN LIGHTING ASSOCIATION POLITICAL ACTION COMMITTEE		RICHARD D UPTON	\$124,395	0	1/12/2015	Not Filed	\$454	\$275
2926	C99002396	AMERICAN POLITICAL ACTION COMMITTEE		J.H.VERSNEL	\$384,311	0	1/6/2015	Not Filed	\$16,026	\$550
2927	C00420125	CHIANG PATEL AND YERBY INC PAC		DAVID W. HAYS	\$186,027	2	12/23/2014	19	\$12,250	\$307
2928	C00455741	DEEP BLUE		ROBERT MONSOUR	\$131,814	0	12/26/2014	22	\$59,990	\$2,365
2929	C00176420	DEMOCRATIC FOUNDATION OF ORANGE COUNTY		GLEN HATTON	\$268,359	0		Not Filed	\$42,187 (est)	\$1,090
2930	C00212308	DUCHOSSOIS GROUP PAC		MICHAEL E. FLANNERY	\$114,014	0	1/21/2015	Not Filed	\$1,768	\$275
2931	C00208249	EMPIRE DISTRICT ELECTRIC COMPANY POLITICAL ACTION COMMITTEE		LARRY JAY WILLIAMS	\$164,886	0	1/30/2015	Not Filed	\$9,850 (est)	\$330
2932	C00522821	EMPOWER CITIZENS NETWORK		ROBERT WAYNE WARTHER	\$102,072	0		Not Filed	\$20,414 (est)	\$550
2933	C00432930	FISCAL LEADERSHIP AND KNOWING ECONOMICS PAC		HIEU TRAN	\$660,472	0	12/10/2014	6	\$69,034	\$885
2934	C00555862	FOUNDATION FOR A GREATER AMERICA INC		JAMES P. HODGINS	\$343,706	0	1/6/2015	Not Filed	\$255,759	\$9,800
2935	C00354613	INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE		MARTIN MASCUILLI	\$137,155	2	1/28/2015	Not Filed	\$14,773	\$825
2936	C00534529	MEDICINAL CANNABIS SUPERPAC		JOSEPH CHARLES HOUSTON	\$112,885	0		Not Filed	\$507 (est)	\$275
2937	C00431429	MVP HEALTH CARE INC. FEDERAL PAC		JORDAN T. ESTEY	\$117,284	0	12/15/2014	11	\$7,089	\$110

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2938	C00113811	NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION POLITICAL ACTION COMMITTEE (NECAPAC)		TRACI M. PICKUS	\$2,765,656	0	12/29/2014	25	\$73,687	\$2,642
2939	C00024281	NORTH AMERICAN MEAT INSTITUTE POLITICAL ACTION COMMITTEE		PETE THOMSON	\$370,483	0	12/23/2014	19	\$4,379	\$122
2940	C00568246	OUR VOICES MATTER		CHARLES PASCAL	\$100,037	0		Not Filed	\$100,037 (est)	\$4,950
2941	C00509489	PATRIOT SUPER PAC		THOMAS FREILING	\$116,793	1		Not Filed	\$23,359 (est)	\$687
2942	C00192849	PLUMBERS AND PIPEFITTERS LOCAL UNION 74		MARK R. PERMAR	\$233,108	1	1/30/2015	Not Filed	\$16,087 (est)	\$687
2943	C00568170	PRIORITIES FOR IOWA POLITICAL FUND		SARA CRAIG	\$2,499,429	0	12/17/2014	13	\$262,093	\$4,100
2944	C00406553	PROGRESSIVE VOTERS OF AMERICA		F. PHILIP FIERMONTE	\$915,165	0	1/30/2015	Not Filed	\$40,189	\$1,090

2946	C00349225	SPINE PAC OF THE NATIONAL ASSOCIATION OF SPINE SPECIALISTS		ERIC J. MUEHLBAUER	\$301,251	0	1/7/2015	Not Filed	\$10,710	\$550
2947	C00497842	STRATEGY PAC		JAMES MALCZEWSKI	\$665,172	0	12/10/2014	6	\$58,787	\$885
2948	C00555508	TAKEOVER SUPER PAC		THOMAS FREILING	\$102,224	0	1/16/2015	Not Filed	\$1,986	\$275
2949	C00132480	TAXICAB LIMOUSINE & PARATRANSIT ASSOCIATION POLITICAL ACTION COMMITTEE (TLPA PAC)		ALFRED B. LAGASSE III	\$103,283	0	12/29/2014	25	\$5,920	\$180

2951	C00404137	UNIVERSITY PUBLIC ISSUES COMMITTEE AKA UPIC		PAUL T. SCHULTZ	\$198,252	0	12/19/2014	15	\$2,000	\$102
2952	C00381699	USINPAC		SANJAY K. PURI	\$109,300	0	1/15/2015	Not Filed	\$6,006 (est)	\$330

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2014)
30 Day Post-General Report (Unauthorized)
Filers) for the Administrative Fine Program:)
AMERICAN COMPOSITES) AF# 2924
MANUFACTURERS ASSOCIATION)
POLITICAL ACTION COMMITTEE, and)
TOM DOBBINS as treasurer;)
AMERICAN LIGHTING ASSOCIATION) AF# 2925
POLITICAL ACTION COMMITTEE, and)
RICHARD D UPTON as treasurer;)
AMERICAN POLITICAL ACTION) AF# 2926
COMMITTEE, and VERSNEL, J.H. as)
treasurer;)
CHIANG PATEL AND YERBY INC PAC,) AF# 2927
and DAVID W HAYS as treasurer;)
DEEP BLUE, and ROBERT MONSOUR as) AF# 2928
treasurer;)
DEMOCRATIC FOUNDATION OF) AF# 2929
ORANGE COUNTY, and HATTON,)
GLEN as treasurer;)
DUCHOSSOIS GROUP PAC, and) AF# 2930
FLANNERY, MICHAEL E. as treasurer;)
EMPIRE DISTRICT ELECTRIC) AF# 2931
COMPANY POLITICAL ACTION)
COMMITTEE, and LARRY JAY)
WILLIAMS as treasurer;)
EMPOWER CITIZENS NETWORK, and) AF# 2932
ROBERT WAYNE WARTHER as)
treasurer;)
FISCAL LEADERSHIP AND KNOWING) AF# 2933
ECONOMICS PAC, and TRAN, HIEU as)
treasurer;)
FOUNDATION FOR A GREATER) AF# 2934
AMERICA INC, and HODGINS, JAMES P)
MR. as treasurer;)

[illegible]

SPINE PAC OF THE NATIONAL)	AF# 2946
ASSOCIATION OF SPINE SPECIALISTS,)	
and MUEHLBAUER, ERIC J. MR. as)	
treasurer;)	
STRATEGY PAC, and MALCZEWSKI,)	AF# 2947
JAMES as treasurer;)	
TAKEOVER SUPER PAC, and THOMAS)	AF# 2948
FREILING as treasurer;)	
TAXICAB LIMOUSINE &)	AF# 2949
PARATRANSIT ASSOCIATION)	
POLITICAL ACTION COMMITTEE)	
(TLPA PAC), and ALFRED B LAGASSE)	
III as treasurer;)	

UNIVERSITY PUBLIC ISSUES) AF# 2951
COMMITTEE AKA UPIC, and PAUL T)
SCHULTZ as treasurer;)
USINPAC, and PURI, SANJAY K as) AF# 2952
treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 01, 2015 the Commission took the following actions on the Reason To Believe Recommendation - 2014 30 Day Post-General Report (Unauthorized Filers) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated March 30, 2015, on the following committees:

AF#2924 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN COMPOSITES MANUFACTURERS ASSOCIATION POLITICAL ACTION COMMITTEE, and TOM DOBBINS as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2925 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN LIGHTING ASSOCIATION POLITICAL ACTION COMMITTEE, and RICHARD D UPTON as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2926 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN POLITICAL ACTION COMMITTEE, and VERSNEL, J.H. as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2927 Decided by a vote of 6-0 to: (1) find reason to believe that CHIANG PATEL AND YERBY INC PAC, and DAVID W HAYS as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2928 Decided by a vote of 6-0 to: (1) find reason to believe that DEEP BLUE, and ROBERT MONSOUR as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2929 Decided by a vote of 6-0 to: (1) find reason to believe that DEMOCRATIC FOUNDATION OF ORANGE COUNTY, and HATTON, GLEN as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2930 Decided by a vote of 6-0 to: (1) find reason to believe that DUCHOSSOIS GROUP PAC, and FLANNERY, MICHAEL E. as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2931 Decided by a vote of 6-0 to: (1) find reason to believe that EMPIRE DISTRICT ELECTRIC COMPANY POLITICAL ACTION COMMITTEE, and LARRY JAY WILLIAMS as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2932 Decided by a vote of 6-0 to: (1) find reason to believe that EMPOWER CITIZENS NETWORK, and ROBERT WAYNE WARTHER as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2933 Decided by a vote of 6-0 to: (1) find reason to believe that FISCAL LEADERSHIP AND KNOWING ECONOMICS PAC, and TRAN, HIEU as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2934 Decided by a vote of 6-0 to: (1) find reason to believe that FOUNDATION FOR A GREATER AMERICA INC, and HODGINS, JAMES P MR. as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2935 Decided by a vote of 6-0 to: (1) find reason to believe that INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE, and MARTIN MASCUILLI as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2936 Decided by a vote of 6-0 to: (1) find reason to believe that MEDICINAL CANNABIS SUPERPAC, and JOSEPH CHARLES HOUSTON as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2937 Decided by a vote of 6-0 to: (1) find reason to believe that MVP HEALTH CARE INC. FEDERAL PAC, and ESTEY, JORDAN T as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2938 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION POLITICAL ACTION COMMITTEE (NECAPAC), and PICKUS, TRACI M. MRS. as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2939 Decided by a vote of 6-0 to: (1) find reason to believe that NORTH AMERICAN MEAT INSTITUTE POLITICAL ACTION COMMITTEE, and THOMSON, PETE MR. as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2940 Decided by a vote of 6-0 to: (1) find reason to believe that OUR VOICES MATTER, and CHARLES PASCAL as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2941 Decided by a vote of 6-0 to: (1) find reason to believe that PATRIOT SUPER PAC, and FREILING, THOMAS as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2942 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and MR MARK R PERMAR as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2943 Decided by a vote of 6-0 to: (1) find reason to believe that PRIORITIES FOR IOWA POLITICAL FUND, and SARA CRAIG as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2944 Decided by a vote of 6-0 to: (1) find reason to believe that PROGRESSIVE VOTERS OF AMERICA, and FIERMONTE, F. PHILIP as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2946 Decided by a vote of 6-0 to: (1) find reason to believe that SPINE PAC OF THE NATIONAL ASSOCIATION OF SPINE SPECIALISTS, and MUEHLBAUER, ERIC J. MR. as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2947 Decided by a vote of 6-0 to: (1) find reason to believe that STRATEGY PAC, and MALCZEWSKI, JAMES as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2948 Decided by a vote of 6-0 to: (1) find reason to believe that TAKEOVER SUPER PAC, and THOMAS FREILING as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2949 Decided by a vote of 6-0 to: (1) find reason to believe that TAXICAB LIMOUSINE & PARATRANSIT ASSOCIATION POLITICAL ACTION COMMITTEE (TLPA PAC), and ALFRED B LAGASSE III as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2951 Decided by a vote of 6-0 to: (1) find reason to believe that UNIVERSITY PUBLIC ISSUES COMMITTEE AKA UPIC, and PAUL T SCHULTZ as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2952 Decided by a vote of 6-0 to: (1) find reason to believe that USINPAC, and PURI, SANJAY K as treasurer violated 52 U.S.C. 30104(a) (formerly 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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 2, 2015
Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 2, 2015

James P. Hodgins, in official capacity as Treasurer
Foundation for a Greater America Inc.
P.O. Box 3587
Tustin, CA 92781

C00555862
AF#: 2934

Dear Mr. Hodgins:

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 October 1, 2014 through November 24, 2014, shall be filed no later than December 4, 2014. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). 52 U.S.C. § 30109(a)(4) (formerly 2 U.S.C. 437g(a)(4)). On April 1, 2015, the FEC found that there is reason to believe ("RTB") that Foundation for a Greater America Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)) by failing to file timely this report on or before December 4, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$9,800. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$9,800 is due within forty (40) days of the finding, or by May 11, 2015, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$255,759

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

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

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

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 11, 2015. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

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

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

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

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Foundation for a Greater America Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 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

11-00000000-1000

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

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

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2) (formerly 2 U.S.C. § 437g(a)(2)). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)) and 30109(a)(12)(A) (formerly 437g(a)(12)(A)) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Ann M. Ravel
Chair

15004707-107

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$9,800 for the 2014 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 979058
St. Louis, MO 63197-9000

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

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

The remittance and your payment are due by May 11, 2015. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Foundation for a Greater America Inc.

FEC ID#: C00555862

AF#: 2934

PAYMENT DUE DATE: May 11, 2015

PAYMENT AMOUNT DUE: \$9,800



Federal Election Commission

Office of Administrative Review

P.O. Box 979058

St, Louis, MO 63197

Re: AF#: 2934, FED ID#: C00555862

Dear Commissioners:

The Foundation For A Greater America, Inc. (aka FFAGA) on behalf of its Voters for Hillary Campaign respectfully elects to appeal the decision of the Commission and seek administrative review as we are objecting to the calculation of the penalties imposed.

We are late in our filing due December 4, 2014 as we relied on independent counsel's guidance that the reports in question were exempt for us to file which consequently was erroneous advice. Our discovery of the situation per your notification seemed ambiguous as we believed any monetary penalties were not mandatory per the notification letter dated December 19, 2014 but subjective. This notice brought to our attention the reporting deficiency days after the deadline date and on behalf of the Foundation we attempted to resolve the matter as soon as we learned word of it. Up to that point we had complied fully with the FEC regulations although being fairly new to the public reporting process.

The fine of \$9,800.00 imposed on the Foundation for the delinquency is based on the total activity reported of \$255,759.00. That is comprised of \$200,400.0 of loans received that are payable back by FFAGA along with another \$32,010.00 in payments. We thus request that the fine be reduced accordingly. Moreover, the amount of the penalty imposed is more than the contributions raised, \$3,771.87 during the period and again suggest the statutory penalty imposed are not equitable and may be considered excessive by other Federal regulatory bodies. We request a reconsideration by the Commission and a reduced penalty in light of the fact this is our first offense and will do everything we can to not be deficient whatsoever in our reporting in the future.

Cordially,

James P. Hodgins

Treasurer, Foundation For A Greater America, Inc.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 21, 2015

Mr. James P. Hodgins, Treasurer
Foundation for a Greater America, Inc.
P.O. Box 3587
Tustin, CA 92781

C00555862
AF#: 2934

Dear Mr. Hodgins:

On May 13, 2015, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") for Foundation for a Greater America, Inc. and you, in your official capacity as Treasurer, which is being reviewed by OAR. If you have any questions regarding your challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

A handwritten signature in cursive script that reads "Rhiannon Magruder".

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRET (ARIA)

2015 JUL -8 PM 4:19

SENSITIVE

July 8, 2015

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Staff Director

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

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2934 - Foundation for a Greater America Inc. and Mr. James P. Hodgins, in his official capacity as Treasurer (C00555862)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation. After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 8, 2015

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

AF# 2934 – Foundation for a Greater America Inc. and Mr. James P. Hodgins, in his official capacity as Treasurer (C00555862)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$9,800 civil money penalty.

Reason-to-Believe Background

The 2014 Post-General Report was due on December 4, 2014. The Committee filed the report on January 7, 2015, 34 days late. The report is not election sensitive and was filed more than 30 days after the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On April 1, 2015, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to timely file the 2014 Post-General Report and made a preliminary determination that the civil money penalty was \$9,800 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on April 2, 2015 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee not authorized by a candidate shall file a post-general election report no later than 30 days after any general election. 52 U.S.C. § 30104(a)(4)(A)(iii) (formerly 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 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On May 13, 2015, the Commission received the written response ("challenge") from the Treasurer. The respondents state their independent counsel advised them they were not required to file the 2014 Post-General Report and acknowledge this was erroneous advice. The respondents became aware of their failure to file the report after receiving the Commission's December 19, 2014 notification, at which point they began working to resolve the matter.

The respondents state this is their first offense and request the fine be reduced. They note the majority of the Committee's total activity is comprised of loans received and loans repaid, and also state:

"...the amount of the penalty imposed is more than the contributions raised, \$3,771.87 during the period and again suggest the statutory penalty imposed are not equitable and may be considered excessive by other Federal regulatory bodies."

The respondents included a copy of the RTB letter with their challenge.

Analysis

The respondents contend they were not aware the 2014 Post-General Report filing requirement applied to the Committee. However, the Commission notified them of the filing requirement prior to the filing deadline. On November 13, 2014, the Commission's Information Division sent an email to "jim@ffaga.org," the email address listed on the Committee's Statement of Organization. On December 1, 2014, the Commission's Electronic Filing Office ("EFO") sent an email to "daniel.nava@aristotle.com," the email address previously provided by the Committee to EFO. Both email notifications reminded the Committee of their 2014 Post-General Report filing requirement.

The Commission also notified the Committee that it failed to file the 2014 Post-General Report. On December 5, 2014, the day after the 2014 Post-General Report was due, EFO sent an email to "daniel.nava@aristotle.com" notifying the Committee that it had failed to file the report. On December 19, 2014, RAD sent a non-filer notification via email to "jim@ffaga.org." While the respondents acknowledge receiving RAD's notification, the Committee did not file the report until January 7, 2015, 19 days after receiving the notification.

With respect to the respondent's request to reduce the civil money penalty due to the nature of the activity, the Reviewing Officer confirms that the Commission correctly calculated the RTB civil money penalty in accordance with the schedule of penalties at 11 C.F.R. § 111.43. The level of activity is defined as the total amount of receipts and disbursements for the period minus the total of any non-federal activity reported on Lines 18(a) and 21(a)(ii) of FEC Form 3X. 11 C.F.R. § 111.43(d)(3)(ii). The Reviewing Officer recognizes the majority of the Committee's activity on the 2014 Post-General Report is comprised of loans received and loan repayments made. However, 11 C.F.R. § 100.52(a) defines a contribution to be a gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. In addition, 11 C.F.R. § 300.2(d) defines a disbursement to be any purchase or payment made. 11 C.F.R. § 104.3(b)(3)(iii) further states that loan repayments should be reported as itemized disbursements. Therefore, the loans received and repaid during the reporting period were accurately included in the level of activity.

Negligence and failure to know reporting dates are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the

respondents' control. Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 104.14(d). Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$9,800 civil money penalty.

OAR Recommendations

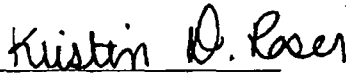
- 1) Adopt the Reviewing Officer recommendation for AF# 2934 involving Foundation for a Greater America Inc. and Mr. James P. Hodgins, in his official capacity as Treasurer in making the final determination;
- 2) Make a final determination in AF# 2934 that Foundation for a Greater America Inc. and Mr. James P. Hodgins, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$9,800 civil money penalty; and
- 3) Send the appropriate letter.

Attachments

- Attachment 1 –
- Attachment 2 –
- Attachment 3 –
- Attachment 4 – Declaration from RAD
- Attachment 5 – Declaration from OAR

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Foundation for a Greater America INC:
 - A) Non-Filer Letter, dated December 19, 2014, referencing the 2014 30 Day Post-General Report (sent via electronic mail to: jim@ffaga.org);
 - B) Reason-to-Believe Letter, dated April 2, 2015 referencing the 2014 30 Day Post-General Report (sent via overnight mail to the address of record).
3. I hereby certify that I have searched the Commission's public records and find that Foundation for a Greater America INC filed the 2014 30 Day Post-General Report with the Commission on January 7, 2015.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 20th day of May, 2015.


Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

December 19, 2014

HODGINS, JAMES P. MR., TREASURER
FOUNDATION FOR A GREATER AMERICA
INC
PO BOX 3587
TUSTIN, CA 92781

IDENTIFICATION NUMBER: C00555862

REFERENCE: POST-GENERAL REPORT (10/01/2014 - 11/24/2014)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a) (formerly 2 U.S.C. §434(a))

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. 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. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file a complete 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. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Christopher Ritchie in the Reports Analysis Division on our toll free number (800)424-9530. The analyst's direct number is (202)694-1146.

FOUNDATION FOR A GREATER AMERICA INC

Page 2 of 2

Sincerely,

Debbie Chacona

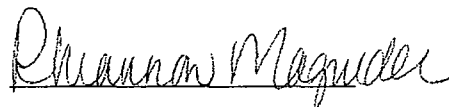
Deborah Chacona
Assistant Staff Director
Reports Analysis Division

250

14330070146

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A political committee not authorized by a candidate which is filing on a quarterly basis shall file a post-general election report no later than 30 days after the general election. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on December 4, 2014 for the 2014 12 Day Post-General Report to be timely filed.
- 3) It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
- 4) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Amended Statement of Organization filed by Foundation for a Greater America Inc. and Mr. James P. Hodgins in his official capacity as Treasurer. According to the Commission's records, the document was received on March 10, 2014 and lists "jim@ffaga.org" as the Committee's official email address.
 - b) Report Cover Page, Summary Page, and Detailed Summary Pages for the 2014 Post-General Report electronically filed by Foundation for a Greater America Inc. and Mr. James P. Hodgins, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from October 16 through November 24, 2014 and was received on January 7, 2015.
- 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, D.C. on the 8th day of July, 2015.



Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

FEC
FORM 1STATEMENT OF
ORGANIZATION

Office Use Only

1. NAME OF
COMMITTEE (in full)(Check if name
is changed)Example: If typing, type
over the lines.

12FE4M5

Foundation for a Greater America INC

ADDRESS (number and street)

PO Box 3587

(Check if address
is changed)

Tustin

CITY ▲

CA

STATE ▲

92781-

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

(Check if address
is changed)

jim@ffaga.org

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address
is changed)

2. DATE

MM / DD / YYYY
02 / 26 / 2014

3. FEC IDENTIFICATION NUMBER ►

C00555862

4. IS THIS STATEMENT

X

NEW (N)

OR

AMENDED (A)

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

Type or Print Name of Treasurer Mr. James P Hodgins

Signature of Treasurer

Mr. James P Hodgins

[Electronically Filed]

Date

MM / DD / YYYY
03 / 10 / 2014NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.Office
Use
OnlyFor further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100FEC FORM 1
(Revised 06/2012)

FEC FORM 3X

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type
over the lines.

12FE4M5

Foundation for a Greater America INC

ADDRESS (number and street)

PO Box 3587

Check if different
than previously
reported. (ACC)

Tustin

CA

92781

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00555862

3. IS THIS
REPORTNEW
(N)

OR

AMENDED
(A)

4. TYPE OF REPORT

(Choose One)

(a) Quarterly Reports:

April 15
Quarterly Report (Q1)July 15
Quarterly Report (Q2)October 15
Quarterly Report (Q3)January 31
Year-End Report (YE)July 31 Mid-Year
Report (Non-election
Year Only) (MY)Termination Report
(TER)(b) Monthly
Report
Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

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

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 (YE)

(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:

General (30G)

Runoff (30R)

Special (30S)

Election on

In the
State of

5. Covering Period

10 / 16 / 2014

through

11 / 24 / 2014

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 Mr. James P Hodgins

Signature of Treasurer

Mr. James P Hodgins

[Electronically Filed]

Date

01 / 07 / 2015

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
Rev. 12/2004

SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

Foundation for a Greater America INC

Report Covering the Period:

From:

M / D / Y Y Y Y
10 16 2014

To:

M / D / Y Y Y Y
11 24 2014

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2014		0.00
(b) Cash on Hand at Beginning of Reporting Period.....	844.26	
(c) Total Receipts (from Line 19).....	204171.87	250424.50
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	205016.13	250424.50
7. Total Disbursements (from Line 31).....	47872.70	93281.07
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	157143.43	157143.43
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).....	305435.51	

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

DETAILED SUMMARY PAGE of Receipts

FEC Form 3X (Rev. 06/2004)

Page 3

Write or Type Committee Name

Foundation for a Greater America INC

Report Covering the Period:

From:

M M / D D / Y Y Y Y
10 16 2014

To:

M M / D D / Y Y Y Y
11 24 2014

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	1200.00	19213.11
(ii) Unitemized	2571.87	12890.29
(iii) TOTAL (add Lines 11(a)(i) and (ii)).....▶	3771.87	32103.40
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5).....▶	3771.87	32103.40
12. Transfers From Affiliated/Other Party Committees.....	0.00	0.00
13. All Loans Received.....	200400.00	218320.00
14. Loan Repayments Received.....	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5).....	0.00	0.00
16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.).....	0.00	1.10
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3).....	0.00	0.00
(b) Levin Funds (from Schedule H5).....	0.00	0.00
(c) Total Transfers (add 18(a) and 18(b))..	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)).....▶	204171.87	250424.50
20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶	204171.87	250424.50

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures	15462.70	59020.91
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b))	15462.70	59020.91
22. Transfers to Affiliated/Other Party Committees	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	0.00
24. Independent Expenditures (use Schedule E)	0.00	0.00
25. Coordinated Party Expenditures (2 U.S.C. §441a(d)) (use Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	32010.00	33015.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees	400.00	1145.16
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)).....	400.00	1145.16
29. Other Disbursements	0.00	100.00
30. Federal Election Activity (2 U.S.C. §431(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share	0.00	0.00
(ii) "Levin" Share.....	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)).....	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	47872.70	93281.07
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	47872.70	93281.07

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 5

III. Net Contributions/Operating Ex- penditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3)	3771.87	32103.40
34. Total Contribution Refunds (from Line 28(d))	400.00	1145.16
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	3371.87	30958.24
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))	15462.70	59020.91
37. Offsets to Operating Expenditures (from Line 15, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	15462.70	59020.91



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 8, 2015

Mr. James P. Hodgins, Treasurer
Foundation for a Greater America Inc.
P.O. Box 3587
Tustin, CA 92781

C00555862
AF#: 2934

Dear Mr. Hodgins:

On April 1, 2015, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Foundation for a Greater America Inc. and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to file the 2014 Post-General Report. The Commission also made a preliminary determination that the civil money penalty was \$9,800 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. 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 or via facsimile (202-208-3333). 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 cursive script that reads "Rhianon Magruder".

Rhianon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

2015 JUL 24 AM 10:49

July 24, 2015

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *gwt/Hor*
Staff Director

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

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2934 – Foundation for a Greater America Inc. and Mr. James P. Hodgins, in his official capacity as Treasurer (C00555862)

On April 1, 2015, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to timely file the 2014 Post-General Report and made a preliminary determination that the civil money penalty was \$9,800 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 13, 2015, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated July 8, 2015 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. They submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB, or that they used best efforts to file on time. 11 C.F.R. § 111.35(b). Therefore, the Reviewing Officer recommended that the Commission make a final determination that they violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$9,800 civil money penalty.

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

15001-01-001

- # 15001-01-001

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 2934
Foundation for a Greater America, Inc.)
and Mr. James P. Hodgins, in his official)
capacity as Treasurer (C00555862))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 14, 2015, the Commission decided by a vote of 6-0 to take the following actions in AF 2934:

1. Adopt the Reviewing Officer recommendation for AF# 2934 involving Foundation for a Greater America, Inc. and Mr. James P. Hodgins, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2934 that Foundation for a Greater America Inc. and Mr. James P. Hodgins, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$9,800 civil money penalty.
3. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 15, 2015
Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 16, 2015

Mr. James P. Hodgins, Treasurer
Foundation for a Greater America Inc.
P.O. Box 3587
Tustin, CA 92781

C00555862
AF#: 2934

Dear Mr. Hodgins:

On April 1, 2015, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Foundation for a Greater America Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to file the 2014 Post-General Report. By letter dated April 2, 2015, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$9,800 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 13, 2015, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Foundation for a Greater America Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a civil money penalty in the amount of \$9,800 in accordance with 11 C.F.R. § 111.43. A copy of the Reviewing Officer Recommendation was sent to you on July 8, 2015.

On September 14, 2015, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Foundation for a Greater America Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assessed a civil money penalty in the amount of \$9,800. A copy of the Final Determination Recommendation is attached.

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

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified

or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii) (formerly 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 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

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

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

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

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

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within 30 days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted

payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

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

On behalf of the Commission,



Ann M. Ravel
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$9,800 for the 2014 Post-General Report.

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

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

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

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

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

PAYMENTS BY PERSONAL CHECK

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

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Foundation for a Greater America Inc.

FEC ID#: C00555862

AF#: 2934

PAYMENT AMOUNT DUE: \$9,800



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2934

DATE SCANNED 10/15/15

SCANNER NO. 2

SCAN OPERATOR Jb