



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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**SENSITIVE**

March 30, 2017

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *WHP*  
Staff Director

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

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *BH*  
Reports Analysis Division *ll for KDR*  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2016 Year-End Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2016 Year-End Report in accordance with 52 U.S.C. § 30104(a). The Year-End Report was due on January 31, 2017.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report : no more than thirty (30) days after 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 the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(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.



AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3309	C00192849	PLUMBERS AND PIPEFITTERS LOCAL UNION 74		MICHAEL B. HACKENDORN	\$293,983	4	2/13/2017	13	\$4,387	\$222
3310	C00620427	PRIDE FUND TO END GUN VIOLENCE PAC		JORDAN CROWDER	\$121,882	0	3/4/2017	Not Filed	\$13,225 (est)	\$654
3311	C00473538	RICH ASHOOH COMMITTEE	RICHARD E. ASHOOH	RICHARD J. MALONEY	\$637,088	0		Not Filed	\$79,636 (est)	\$4,862
3312	C00607762	SOULES FOR US CONGRESS	MERRIE LEE SOULES	MARYANN HENDRICKSON	\$799,501	0		Not Filed	\$133,250 (est)	\$6,252
3313	C00591875	SUE GOOGE FOR CONGRESS	SUE GOOGE	TRACY PAINTER PERINA	\$194,648	0		Not Filed	\$27,806 (est)	\$1,176
3314	C00362632	SWING STATES FOR A CONSERVATIVE WHITE HOUSE PAC INC.		OFFICE OF TREASURER	\$134,449	1		Not Filed	\$44,816 (est)	\$1,470
3315	C00445163	TADDEO FOR CONGRESS	ANNETTE TADDEO	RALPH PATINO	\$3,486,757	0	2/17/2017	17	\$346,633	\$6,793
3316	C00581314	TAYLOR GRIFFIN FOR CONGRESS	WILLIAM TAYLOR GRIFFIN	TAYLOR GRIFFIN	\$717,525	0		Not Filed	\$119,587 (est)	\$6,252
3317	C00613216	THE CANDIDATE BILLY DAVIS INC.	BILLY DAVIS	BILLY DAVIS	\$146,000	1		Not Filed	\$73,000 (est)	\$4,688
3318	C00612846	THE DEMOCRATIC COALITION		FRANCESCA N. LUCIA	\$247,741	0		Not Filed	\$82,580 (est)	\$4,862

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3314  
Reason To Believe Recommendation - )  
2016 Year-End Report for the )  
Administrative Fine Program: Swing )  
States of A Conservative White House )  
PAC, Inc. )

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 03, 2017, the Commission decided by a vote of 4-0 to take the following actions in AF 3314:

1. Find reason to believe that Swing States of A Conservative White House PAC, Inc. and Office of Treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be \$1,470.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Walther, and Weintraub voted affirmatively for the decision. Commissioner Petersen did not vote.

Attest:

April 3, 2017  
Date

Dayna C. Brown  
Dayna C. Brown  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 5, 2017

Office of Treasurer, in official capacity as Treasurer  
Swing States for a Conservative White House PAC Inc  
717 Whitehills Drive  
East Lansing, MI 48823

C00362632  
AF#: 3314

Dear Office of Treasurer:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year-End Report of Receipts and Disbursements every calendar year. This report, covering the period November 29, 2016 through December 31, 2016, shall be filed no later than January 31, 2017. 52 U.S.C. § 30104(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. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On April 3, 2017, the FEC found that there is reason to believe ("RTB") that Swing States for a Conservative White House PAC Inc and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before January 31, 2017. 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 \$1,470. 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 \$1,470 is due within forty (40) days of the finding, or by May 13, 2017, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$44,816  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 1

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 13, 2017. 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. 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 Swing States for a Conservative White House PAC Inc and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(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 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, follow the payment instructions on page 4 of this letter. 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 making 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). 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) and 30109(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 Aimee Wechsler 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,



Steven T. Walther  
Chair

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$1,470 for the 2016 Year-End Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

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

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

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

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

**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**

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FOR: Swing States for a Conservative White House PAC Inc

FEC ID#: C00362632

AF#: 3314

PAYMENT DUE DATE: May 13, 2017

PAYMENT AMOUNT DUE: \$1,470



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
2017 JUL 10 PM 3:38

July 10, 2017

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

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

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *KE*  
Kristin D. Roser/Ben Holly  
Reports Analysis Division  
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the  
2016 Year-End Report

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2016 Year-End Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

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

For your information, fourteen (14) committees disclosed a level of activity after the RTB finding, which would result in a lowered civil money penalty. An overview of these cases has been provided below.

Adrian Garcia for Congress (AF 3286) filed the 2016 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$231 (previously estimated to be \$155,793), thus the fine would be lowered from \$7,641 to \$231.

Angel Rosa Comisionado Residente (AF 3288) filed the 2016 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$177 (previously estimated to be \$83,669), thus the fine would be lowered from \$4,862 to \$177.

Citizens Super PAC for America (CSPAC) (AF 3290) disclosed no activity after the RTB finding (previously estimated to be \$46,542), which would result in no civil money penalty (fine previously assessed to be \$1,470).

Committee to Elect J.D. Winteregg (AF 3292) disclosed no activity after the RTB finding (previously estimated to be \$25,599), which would result in no civil money penalty (fine previously assessed to be \$1,470).

Eugene for Congress (AF 3294) filed the 2016 Year-End Report after the RTB finding and disclosed no activity (previously estimated to be \$36,946), which would result in no civil money penalty (fine previously assessed to be \$1,176).

Fresno County Democratic Women's Club/Democrats in Action (AF 3296) filed the 2016 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$6,792 (previously estimated to be \$21,592), thus the fine would be lowered from \$654 to \$490.

Frozen Food Political Action Committee (AF 3299) filed the 2016 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$2,210 (previously estimated to be \$29,965), thus the fine would be lowered from \$1,176 to \$407. The committee paid the civil money penalty assessed at RTB; we will therefore issue a refund for the difference (\$769).

Gallagher for New York (AF 3300) filed the 2016 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$2,115 (previously estimated to be \$26,087), thus the fine would be lowered from \$1,176 to \$326.

Great Lakes Super Political Action Committee (AF 3301) disclosed no activity after the RTB finding (previously estimated to be \$31,500), which would result in no civil money penalty (fine previously assessed to be \$1,176).

Pamela Keith for Senate 2016 (AF 3306) filed the 2016 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money

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penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$3,757 (previously estimated to be \$64,151), thus the fine would be lowered from \$3,751 to \$326.

Pellerin for U.S. Senate LLC (AF 3307) filed the 2016 Year-End Report after the RTB finding and disclosed no activity (previously estimated to be \$69,717), which would result in no civil money penalty (fine previously assessed to be \$3,751).

Rich Ashooh Committee (AF 3311) filed the 2016 Year-End Report after the RTB finding and disclosed no activity (previously estimated to be \$79,636), which would result in no civil money penalty (fine previously assessed to be \$4,862).

Sue Googe for Congress (AF 3313) filed the 2016 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$11,143 (previously estimated to be \$27,806), thus the fine would be lowered from \$1,176 to \$654. The committee paid the civil money penalty assessed at RTB; we will therefore issue a refund for the difference (\$522).

The Democratic Coalition (AF 3318) filed the 2016 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$60,821 (previously estimated to be \$82,580), thus the fine would be lowered from \$4,862 to \$4,688.

For your information, two (2) committees disclosed a change in treasurer after the RTB finding. An overview of these cases is provided below.

Frozen Food Political Action Committee (AF 3299) filed an Amended Statement of Organization after the RTB finding designating Brandon Partridge as Treasurer.

Pride Fund to End Gun Violence (AF 3310) filed an Amended Statement of Organization after the RTB finding designating Jason Lindsay as Treasurer.

### **RAD Recommendation**

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports with no activity, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty.
- (3) Send the appropriate letters.

Federal Election Commission  
 FD Circulation Report Fine Not Paid  
 2016 YEAR-END Not Election Sensitive 01/31/2017 H\_S\_P\_UNAOUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3286	ADRIAN GARCIA FOR CONGRESS	ADRIAN GARCIA	C00598944	MONICA GARCIA	04/15/2017	Not Filed	\$231	0	04/03/2017	\$7,641	98	\$231
3287	AMERICA COMES FIRST PAC		C00623256	DAVID W. SCHAMIEVS		Not Filed	\$154,403 (est)	2	04/03/2017	\$7,641	98	\$7,641
3288	ANGEL ROSA COMISIONADO RESIDENTE	ANGEL ROSA	C00597682	ELISAMUEL RIVERA	05/19/2017	Not Filed	\$177	0	04/03/2017	\$4,862	98	\$177
3289	BRUCE DAVIS FOR US CONGRESS	BRUCE EDWARD DAVIS SR.	C00556844	GLENDIA CLARK		Not Filed	\$16,667 (est)	1	04/03/2017	\$654	98	\$654
3290	CITIZENS SUPER PAC FOR AMERICA (CSPAC)		C00496827	SIDDIQ MUMIN		Not Filed	\$0	2	04/03/2017	\$1,470	98	NONE
3291	CLAITOR FOR CONGRESS COMMITTEE TO ELECT JD WINTEREGG	DANIEL A. CLAITOR	C00554253	CHELSEA BONNECAZE		Not Filed	\$120,518 (est)	7	04/03/2017	\$15,630	98	\$15,630
3292	EUGENE FOR CONGRESS	J.D. WINTEREGG	C00551485	JOSEPH WINTEREGG		Not Filed	\$0	1	04/03/2017	\$1,470	98	NONE
3294	FIORE FOR CONGRESS	EUGENE YU	C00608870	ERIC YU	06/22/2017	Not Filed	\$0	1	04/03/2017	\$1,176	98	NONE
3295	FRESNO COUNTY DEMOCRATIC WOMEN'S CLUB/DEMOCRATS IN ACTION	MICHELE FIORE	C00590843	ANDREA SCHULEIN		Not Filed	\$176,142 (est)	0	04/03/2017	\$7,641	98	\$7,641
3296	FRIENDS OF MATT DETCH GALLAGHER FOR NEW YORK	MATTHEW PAUL DETCH	C00603654	MICHAEL BEALE		Not Filed	\$6,792	1	04/03/2017	\$654	98	\$490
3300	GREAT LAKES SUPER POLITICAL ACTION COMMITTEE	MICHAEL GALLAGHER	C00576223	MICHAEL GALLAGHER	5/12/2017	Not Filed	\$36,688 (est)	2	04/03/2017	\$1,176	98	\$1,176
3301	KHARY FOR CONGRESS	KHARY PENEBAKER	C00607928	DWIGHT WASHINGTON		Not Filed	\$2,115	0	04/03/2017	\$1,176	98	\$326
3303	MAXWELL FOR CONGRESS	CHIP MAXWELL	C00565598	SUSAN HOTZ		Not Filed	\$0	0	04/03/2017	\$1,176	98	NONE
3305	PAMELA KEITH FOR SENATE 2016	CHIP MAXWELL	C00570564	CHIP MAXWELL		Not Filed	\$31,973 (est)	1	04/03/2017	\$1,176	98	\$1,176
3306	PELLERIN FOR US SENATE LLC	PAMELA MICHELE KEITH	C00612881	PAMELA KEITH	04/14/2017	Not Filed	\$32,240 (est)	0	04/03/2017	\$1,176	98	\$1,176
3307	RICH ASHOOH COMMITTEE	JOSHUA A. PELLERIN	C00612881	JENNIFER MAY	04/14/2017	Not Filed	\$3,757	0	04/03/2017	\$3,751	98	\$326
3311	SWING STATES FOR A CONSERVATIVE WHITE HOUSE PAC INC	RICHARD E. ASHOOH	C00473538	RICHARD J MALONEY	04/17/2017	Not Filed	\$0	0	04/03/2017	\$4,862	98	NONE
3314	TAYLOR GRIFFIN FOR CONGRESS	WILLIAM TAYLOR GRIFFIN	C00362632	OFFICE OF TREASURER		Not Filed	\$44,816 (est)	1	04/03/2017	\$1,470	98	\$1,470
3316	THE CANDIDATE BILLY DAVIS INC.	BILLY DAVIS	C00613216	TAYLOR GRIFFIN		Not Filed	\$119,587 (est)	0	04/03/2017	\$6,252	98	\$6,252
3317	THE DEMOCRATIC COALITION	BILLY DAVIS	C00612846	BILLY DAVIS		Not Filed	\$73,000 (est)	1	04/03/2017	\$4,688	98	\$4,688
3318				FRANCESCA N. LUCIA	04/26/2017	Not Filed	\$80,821	1	04/03/2017	\$4,862	98	\$4,688

Federal Election Commission  
 FD Circulation Report - Fine Paid  
 2016 YEAR-END Not Election Sensitive 01/31/2017 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
3293	DAN COX FOR CONGRESS	DAN COX	C00614362	DANIEL RAZVI	02/14/2017	14	\$2,091	1	04/03/2017	\$117	\$117	05/02/2017	\$117
3299	FROZEN FOOD POLITICAL ACTION COMMITTEE		C00385740	BRANDON PARTRIDGE	05/08/2017	Not Filed	\$2,210	1	04/03/2017	\$1,176	\$407	05/02/2017	\$1,176*
3308	PENINSULA DEMOCRATIC COALITION		C00427203	ZACHERY ROSS	02/08/2017	8	\$5,441	1	04/03/2017	\$113	\$113	05/05/2017	\$113
3308	PLUMBERS AND PIPEFITTERS LOCAL UNION 74		C00192849	MICHAEL B. HACKENDORN	02/13/2017	13	\$4,387	4	04/03/2017	\$222	\$222	05/17/2017	\$222
3310	PRIDEFUND TO END GUN VIOLENCE		C00620427	JASON LINDSAY	03/04/2017	Not Filed	\$13,225	0	04/03/2017	\$654	\$654	05/15/2017	\$654
3313	SUE GOOGE FOR CONGRESS	SUE GOOGE	C00591875	TRACY PAINTER PERINA	05/14/2017	Not Filed	\$11,143	0	04/03/2017	\$1,176	\$654	6/20/2017	\$1,176*
3315	TADDEO FOR CONGRESS	ANNETTE TADDEO	C00445163	RALPH PATINO	02/17/2017	17	\$346,633	0	04/03/2017	\$6,793	\$6,793	05/09/2017	\$6,793

\* This committee disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty and will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding. This committee paid the civil money penalty assessed at RTB; therefore, we will issue a refund for the difference.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3314  
Administrative Fine Program – Final )  
Determination Recommendation for the )  
2016 Year-End Report: Swing States for )  
a Conservative White House PAC Inc., )  
and Office of Treasurer )

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission, do hereby certify that on July 13, 2017, the Commission decided by a vote of 5-0 to take the following actions in AF 3314:

1. Make a final determination that Swing States for a Conservative White House PAC Inc., and the Office of Treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty of \$1,470.
2. Send the appropriate letter.

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

Attest:

July 18, 2017  
Date

  
\_\_\_\_\_  
Dayna C. Brown  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 19, 2017

Office of Treasurer  
Swing States for a Conservative White House PAC, Inc.  
717 Whitehills Drive  
East Lansing, MI 48823

C00362632  
AF#: 3314

Dear Office of Treasurer:

On April 3, 2017, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Swing States for a Conservative White House PAC, Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2016 Year-End Report. By letter dated April 5, 2017, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be \$1,470 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you, as treasurer, were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty. You must also file the 2016 Year-End Report if you have not already done so.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. The FEC made a final determination on July 13, 2017 that Swing States for a Conservative White House PAC, Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$1,470 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$44,816  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 1

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 thirty (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). 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. 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 thirty (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 five (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, follow the payment instructions on page 4 of this letter. You should make payment within thirty (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) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Aimee Wechsler at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,



Steven T. Walther  
Chair

40001-110001

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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$1,470 for the 2016 Year-End Report. The payment is due within 30 days of receipt of this letter.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also 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 send to:

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

**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**

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FOR: Swing States for a Conservative White House PAC, Inc.

FEC ID#: C00362632

AF#: 3314

PAYMENT AMOUNT DUE: \$1,470