THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE #3569

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FEDERAL ELECTION COMMISSION
2019 FEB -4 PM 3:16

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

February 4, 2019

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer
Staff Director

FROM: Patricia C. Orrock PCO
Chief Compliance Officer

Debbie Chacona DC
Assistant Staff Director
Reports Analysis Division

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

SUBJECT: Reason To Believe Recommendation – 2018 30 Day Post-General Report (Authorized Committees) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2018 30 Day Post-General Report in accordance with 52 U.S.C. § 30104(a). The 30 Day Post-General Report was due on December 6, 2018. The list is comprised of authorized committees whose candidates sought election in the November 6th General Election.

The committees listed on 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.

2/4/2019 1:14 PM

Federal Election Commission
Reason to Believe Circulation Report
2018 POST-GENERAL Not Election Sensitive 12/06/2018 AUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3566	C00673459	BARIA FOR MISSISSIPPI	DAVID WAYNE BARIA	WILL GODFREY	$1,483,988	0		Not Filed	$247,331 (est)	$9,446
3567	C00663179	BILLUPS FOR CONGRESS	WILLIE KAILAWN BILLUPS	WILLIE KAILAWN BILLUPS	$102,268	0		Not Filed	$20,454 (est)	$684
3568	C00634865	DALE KERNS FOR OFFICE	DALE RONALD KERNS JR.	JOSEPH P. SOLOSKI	$403,511	0		Not Filed	$50,439 (est)	$3,925
3569	C00641340	ERIC FOR US	ERIC HOLGUIN	ELIZABETH PEREZ	$399,514	0	1/8/2019	33 (Not Filed*)	$34,070	$1,230
3570	C00678557	LAKE FOR CONGRESS	JEANNINE LEE LAKE	JESSE NAHSHON PRATER	$132,721	0		Not Filed	$44,240 (est)	$1,230
3571	C00665372	MALARSIE HOUSE RUN 2018	MARY MALARSIE	TERRY BLEVINS	$217,111	0	12/17/2018	11	$64,468	$1,647
3572	C00666131	SETH HALL FOR CONGRESS	SETH BLANE HALL	SETH B. HALL	$114,474	0		Not Filed	$22,895 (est)	$684

* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Reason To Believe Recommendation - 2018	)	
30 Day Post-General Report (Authorized	)	
Committees) for the Administrative Fine	)	
Program:	)	
BARIA FOR MISSISSIPPI, and	)	AF# 3566
GODFREY, WILL as treasurer;	)	
BILLUPS FOR CONGRESS, and	)	AF# 3567
BILLUPS, WILLIE KAILAWN MR as	)	
treasurer;	)	
DALE KERNS FOR OFFICE, and JOSEPH	)	AF# 3568
P SOLOSKI as treasurer;	)	
ERIC FOR US, and PEREZ, ELIZABETH	)	AF# 3569
as treasurer;	)	
LAKE FOR CONGRESS, and PRATER,	)	AF# 3570
NAHSHON JESSE MR. as treasurer;	)	
MALARSIE HOUSE RUN 2018, and	)	AF# 3571
BLEVINS, TERRY as treasurer;	)	
SETH HALL FOR CONGRESS, and	)	AF# 3572
HALL, SETH B as treasurer;	)	

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission, do hereby certify that on February 07, 2019 the Commission took the following actions on the Reason To Believe Recommendation - 2018 30 Day Post-General Report (Authorized Committees) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated February 04, 2019, on the following committees:

AF#3566 Decided by a vote of 4-0 to: (1) find reason to believe that BARIA FOR MISSISSIPPI, and GODFREY, WILL in his official capacity as treasurer violated 52 U.S.C. 30104(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 Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3567 Decided by a vote of 4-0 to: (1) find reason to believe that BILLUPS FOR CONGRESS, and BILLUPS, WILLIE KAILAWN MR in his official capacity as treasurer violated 52 U.S.C. 30104(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 Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3568 Decided by a vote of 4-0 to: (1) find reason to believe that DALE KERNS FOR OFFICE, and JOSEPH P SOLOSKI in his official capacity as treasurer violated 52 U.S.C. 30104(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 Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3569 Decided by a vote of 4-0 to: (1) find reason to believe that ERIC FOR US, and PEREZ, ELIZABETH in her official capacity as treasurer violated 52 U.S.C. 30104(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 Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3570 Decided by a vote of 4-0 to: (1) find reason to believe that LAKE FOR CONGRESS, and PRATER, NAHSHON JESSE MR. in his official capacity as treasurer

violated 52 U.S.C. 30104(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 Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3571 Decided by a vote of 4-0 to: (1) find reason to believe that MALARSIE HOUSE RUN 2018, and BLEVINS, TERRY in his official capacity as treasurer violated 52 U.S.C. 30104(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 Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3572 Decided by a vote of 4-0 to: (1) find reason to believe that SETH HALL FOR CONGRESS, and HALL, SETH B in his official capacity as treasurer violated 52 U.S.C. 30104(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 Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

February 7, 2019
Date

Dayna C. Brown
Secretary and Clerk of the Commission

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 7, 2019

Elizabeth Perez, in official capacity as Treasurer
Eric For Us
P.O. Box 8235
Corpus Christi, TX 78468

C00641340
AF#: 3569

Dear Ms. Perez:

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 during which there is a regularly scheduled general election for which the candidate sought election. This report, covering the period October 18, 2018 through November 26, 2018 shall be filed no later than December 6, 2018. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report was 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). 52 U.S.C. § 30109(a)(4). On February 7, 2019, the FEC found that there is reason to believe ("RTB") that Eric For Us 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 December 6, 2018. 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 $1,230. 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* https://www.fec.gov/legal-resources/enforcement/administrative-fines/calculating-administrative-fines/ 11 CFR § 111.34. Your payment of $1,230 is due within forty (40) days of the finding, or by March 19, 2019, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: $34,070
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, 1050 First Street, NE, Washington, DC 20002. 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 March 19, 2019. 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 Eric For Us 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 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 https://www.fec.gov/legal-resources/enforcement/administrative-fines/calculating-administrative-fines/ If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly 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. 1158) or (202) 694-1158.

On behalf of the Commission,

Ellen L. Weintraub

Ellen L. Weintraub
Chair

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 $1,230 for the 2018 Post-General 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 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

FOR: Eric For Us

FEC ID#: C00641340

AF#: 3569

PAYMENT DUE DATE: March 19, 2019

PAYMENT AMOUNT DUE: $1,230

RECEIVED
By Office of the Commission Secretary at 9:50 am, Jun 08, 2020

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 2020

MEMORANDUM

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: Kristin D. Roser KDR/Ben Holly BH
Reports Analysis Division
Compliance Branch

SUBJECT: Withdrawal and Resubmission of Final Determination Recommendation for the 2018 30 Day Post-General Report (Authorized Committees) for the Administrative Fine Program

We are withdrawing the document circulated to the Commission on November 18, 2019 in order to reflect updates disclosed in filings received by the Commission after the initial submission of this recommendation. On December 31, 2019, Lake for Congress (AF 3570) filed a 2018 30 Day Post-General Report that disclosed a level of activity higher than previously estimated. The circulation chart has been updated to reflect the level of activity disclosed on the most recent filing.

Attached is a list identifying political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed a proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2018 30 Day Post-General Report. The committees have not paid the civil money penalties requested at RTB and 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 § 111.40, the Commission shall send a final determination notice to the respondents that have not paid the civil money penalty.

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) Send the appropriate letters.

6/5/2020 11:36 AM

Federal Election Commission
FD Circulation Report Fine Not Paid
2018 POST-GENERAL Not Election Sensitive 12/06/2018 AUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3566	BARIA FOR MISSISSIPPI	DAVID WAYNE BARIA	C00673459	WILL GODFREY	04/19/2019	Not Filed*	$280,646	0	02/07/2019	$9,446	484	$9,446
3567	BILLUPS FOR CONGRESS	WILLIE KAILAWN BILLUPS	C00663179	WILLIE KAILAWN BILLUPS	03/24/2019	Not Filed*	$13,086	0	02/07/2019	$684	484	$684
3568	DALE KERNS FOR OFFICE	DALE RONALD KERNS JR.	C00634865	JOSEPH P. SOLOSKI		Not Filed	$50,439 (est)	0	02/07/2019	$3,925	484	$3,925
3569	ERIC FOR US	ERIC HOLGUIN	C00641340	ELIZABETH PEREZ	01/08/2019	Not Filed*	$34,070	0	02/07/2019	$1,230	484	$1,230
3570	LAKE FOR CONGRESS	JEANNINE LEE LAKE	C00678557	JESSE NAHSHON PRATER	12/31/2019	Not Filed*	$67,896	0	02/07/2019	$1,230	484	$1,230
3571	MALARSIE HOUSE RUN 2018	MARY MALARSIE	C00665372	TERRY BLEVINS	12/17/2018	11	$64,468	0	02/07/2019	$1,647	484	$1,647

* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Withdrawal and Resubmission of Final	)	
Determination Recommendation for the	)	
2018 30 Day Post-General Report	)	
(Authorized Committees) for the	)	
Administrative Fine Program:	)	
BARIA FOR MISSISSIPPI, and	)	AF# 3566
GODFREY, WILL as treasurer;	)	
BILLUPS FOR CONGRESS, and	)	AF# 3567
BILLUPS, WILLIE KAILAWN MR as	)	
treasurer;	)	
DALE KERNS FOR OFFICE, and JOSEPH	)	AF# 3568
P SOLOSKI as treasurer;	)	
ERIC FOR US, and PEREZ, ELIZABETH	)	AF# 3569
as treasurer;	)	
LAKE FOR CONGRESS, and PRATER,	)	AF# 3570
NAHSHON JESSE MR. as treasurer;	)	
MALARSIE HOUSE RUN 2018, and	)	AF# 3571
BLEVINS, TERRY as treasurer;	)	

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 29, 2020 the Commission took the following actions on the Withdrawal and Resubmission of Final Determination Recommendation for the 2018 30 Day Post-General Report (Authorized Committees) for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated June 05, 2020, on the following committees:

AF#3566 Decided by a vote of 4-0 to: (1) make a final determination that BARIA FOR MISSISSIPPI, and GODFREY, WILL in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the

appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3567 Decided by a vote of 4-0 to: (1) make a final determination that BILLUPS FOR CONGRESS, and BILLUPS, WILLIE KAILAWN MR in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3568 Decided by a vote of 4-0 to: (1) make a final determination that DALE KERNS FOR OFFICE, and JOSEPH P SOLOSKI in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3569 Decided by a vote of 4-0 to: (1) make a final determination that ERIC FOR US, and PEREZ, ELIZABETH in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3570 Decided by a vote of 4-0 to: (1) make a final determination that LAKE FOR CONGRESS, and PRATER, NAHSHON JESSE MR. in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3571 Decided by a vote of 4-0 to: (1) make a final determination that MALARSIE HOUSE RUN 2018, and BLEVINS, TERRY in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

July 29, 2020
Date

Attest:

Laura Sinram Digitally signed by Laura Sinram Date: 2020.07.29 16:51:29 -04'00'

Laura E. Sinram
Acting Secretary and Clerk of the Commission

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AF

July 31, 2020

Elizabeth Perez, in official capacity as Treasurer
Eric for Us
P.O. Box 81082
Corpus Christi, TX 78468

C00641340
AF#: 3569

Dear Ms. Perez,

On February 7, 2019, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Eric for Us and you, in your official capacity as treasurer violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2018 Post-General Report. By letter dated February 7, 2019, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be $1,230 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.

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 June 29, 2020 that Eric for Us 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 $1,230 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: $34,070
Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purposes 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 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 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% 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 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 Ben Holly at Federal Election Commission, 1050 First St., NE, Washington, DC 20002, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

Sincerely,

James E. "Trey" Trainor III
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is $1,230 for the 2018 Post-General 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 to be directed to Pay.gov's Administrative Fine Program Payment form. Please use the details below to complete the required fields. For additional payment options, please contact Ben Holly in the Reports Analysis

Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

COMMITTEE NAME: Eric for Us

FEC ID#: C00641340

AF#: 3569

PAYMENT AMOUNT DUE: $1,230

THIS IS THE END OF ADMINISTRATIVE FINE CASE #3569