

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE #3636



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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SENSITIVE

March 20, 2019

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: Reason To Believe Recommendation - 2018 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 2018 30 Day Post-General Report in accordance with 52 U.S.C. § 30104(a). The list is comprised of unauthorized committees that failed to file or timely file the 2018 30 Day Post-General Report.

The committees appearing on the 30 Day Post-General Report list either failed to file the report, filed 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, 2018 through November 26, 2018 (57 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, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 12G. Second, 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 29.82% (17 days (12G Filing Period)/57 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 13, 2019. 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.
- Every Year-End Report (YE) submitted by an unauthorized quarterly filer that covered the period from October 1, 2018 through December 31, 2018 (92 days) was reviewed for activity which would have required the filing of a 30G. If our research indicated that a 30G was required, we utilized a three-step method to arrive at the activity on which to base the 30G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 30G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 61.96% (57 days (30G Filing Period)/92 days (YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 30G. If the same committee was required to file the 12 Day Report, but failed to file this report, we utilized a three-step method to arrive at the activity on which to base the 30G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 30G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 43.48% (40 days (30G Filing Period)/92 days (YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 30G.

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.

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

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3620	C00230342	21ST CENTURY DEMOCRATS	BILL COMBS	\$3,973,816	0	12/12/2018	6	\$512,067	\$5,373
3621	C00623256	AMERICA COMES FIRST PAC	DAVID W. SCHAMENS	\$154,404	5		Not Filed	\$154,404 (est)	\$17,986
3622	C00492579	AMERICAN PRINCIPLES	EYTAN LAOR	\$313,566	1	1/23/2019	48 (Not Filed*)	\$52,662	\$4,906
3623	C00107615	AMERICAN RENTAL ASSOCIATION POLITICAL ACTION COMMITTEE	JOHN W. MCCLELLAND	\$281,851	0	12/12/2018	6	\$9,000	\$104
3624	C00658757	AMERICANS SUPPORTING VETERANS PAC	MARK SLY	\$576,156	0	12/23/2018	17	\$78,172	\$3,063
3625	C00358366	ANDEAVOR LLC POLITICAL ACTION COMMITTEE	TRAVIS J. HUNT	\$1,117,454	0	12/20/2018	14	\$25,696	\$682
3626	C00525295	BALDWIN WISCONSIN VICTORY FUND	GLENN CARLSON	\$3,576,069	0	12/13/2018	7	\$969,040	\$9,297
3627	C00415752	BORDER HEALTH FEDERAL PAC	ERNIE PEREZ	\$1,574,771	0	1/31/2019	56 (Not Filed*)	\$100,013	\$6,541
3628	C00613810	BRAND NEW CONGRESS	ISRA ALLISON	\$1,192,422	0	1/23/2019	48 (Not Filed*)	\$79,148	\$5,086
3629	C00589200	BROADER REPRESENTATION ADVOCACY TEAM - POLITICAL ACTION COMMITTEE	JASPER HENDRICKS III	\$250,000	0	12/21/2018	15	\$50,000	\$2,087
3630	C00667667	BUILD THE WAVE	NATHAN LERNER	\$406,864	0	1/4/2019	29	\$203,992	\$8,819
3631	C00341990	CAROLYN'S PAC	MELISSA A. MENDEZ	\$588,039	0	12/28/2018	22	\$13,571	\$278
3632	C00344770	COMPTTEL PAC	JULIA STROW	\$100,963	0	12/24/2018	18	\$10,580	\$254
3633	C00167320	CONNECTICUT DEMOCRATIC STATE CENTRAL COMMITTEE	MICHAEL POHL	\$5,978,238	0	12/13/2018	7	\$1,164,697	\$9,297
3634	C00634717	CONSERVATIVE TRIUMPH FUND	RONALD RAMIREZ	\$351,435	0	12/13/2018	7	\$29,472	\$486
3635	C00000489	DRIVE POLITICAL FUND CHAPTER 886	TOM RITTER	\$109,457	0	1/30/2019	55 (Not Filed*)	\$3,044	\$341
3636	C00650432	DEMOCRATS WORK FOR AMERICA, INC	SUDHA KAILAR	\$404,885	0	12/31/2018	25	\$168,185	\$6,589
3637	C00618033	GRASSROOTS AWARENESS PAC	PAM MATTSON	\$2,353,115	0		Not Filed	\$784,372 (est)	\$15,987
3638	C00062836	KENTUCKY BANKERS POLITICAL ACTION COMMITTEE	MATT VANCE	\$503,520	0	12/21/2018	15	\$47,854	\$710
3639	C00315713	LIBERTARIAN PARTY OF ILLINOIS	BRIAN W. DUNN	\$298,564	0	12/22/2018	16	\$5,213	\$164
3640	C00676429	LIBERTY FOR US SUPER PAC	BRAD JOHNSON	\$170,519	0		Not Filed	\$85,260 (est)	\$5,086
3641	C00076182	NATIONAL TURKEY FEDERATION POLITICAL ACTION COMMITTEE/TURPAC	JOEL BRANDENBERGER	\$818,389	0	12/17/2018	11	\$2,000	\$101

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AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3642	C00634964	NEW NATION RISING	OLUFEMI OGUNNAIKE	\$1,512,947	0		Not Filed	\$252,158 (est)	\$11,627
3643	C00636902	NY19VOTES	LINDA SAKAI	\$140,992	0	12/17/2018	11	\$5,468	\$134
3644	C00157941	PEACE ACTION PAC/ FKA SANE/FREEZE PAC	ROSALIE GREENE	\$167,510	0	12/26/2018	20	\$76,996	\$3,501
3645	C00131706	PIPEFITTERS LOCAL UNION #524	PATRICK DOLAN	\$194,859	0		Not Filed	\$32,477 (est)	\$1,230
3646	C00206177	PIPEFITTERS LOCAL UNION #533 VOLUNTEER POLITICAL FUND	SCOTT FORBES	\$1,042,729	0	12/12/2018	6	\$12,580	\$182
3647	C00634766	RAND PAUL VICTORY	KEVIN BROGHAMER	\$515,785	0	1/30/2019	55 (Not Filed*)	\$71,622	\$3,925
3648	C00436410	ROCK CITY PAC	KIMBERLY KAEGI	\$526,134	1	12/14/2018	8	\$13,899	\$242
3649	C00671040	RURAL PROGRESS	NATHANIEL IRVIN	\$110,372	0		Not Filed	\$36,791 (est)	\$1,230
3650	C00617712	SASSE LEADERSHIP COMMITTEE	STEVE RALLS	\$1,197,130	0	1/31/2019	56 (Not Filed*)	\$22,162	\$684
3651	C00510974	STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS (SHOPO POLITICAL ACTION FUND)	JAMES M. SMITH	\$140,810	0	12/20/2018	14	\$2,736	\$119
3652	C00626739	STOP THE SPEAKER PAC	JEREMY LEVINSON	\$518,754	0	1/31/2019	56 (Not Filed*)	\$2,731	\$341
3653	C00488403	TEXAS PATRIOTS PAC	WILLIAM J. O'SULLIVAN, JR.	\$227,522	0	12/21/2018	15	\$50,413	\$2,087
3654	C00512855	THE FUND FOR AMERICAN EXCEPTIONALISM	REGAN BONDERMAN	\$317,365	0	12/14/2018	8	\$26,475	\$514
3655	C00522458	TOGETHER WE THRIVE	CHRISTOPHER ZULLO	\$133,515	0		Not Filed	\$19,074 (est)	\$684
3656	C00495887	TOMORROW IS MEANINGFUL PAC	STACY WIGGINS	\$1,626,845	0	12/13/2018	7	\$104,425	\$2,145
3657	C00138974	TTX PAC	PATRICK B. LOFTUS	\$164,888	0	12/14/2018	8	\$12,608	\$194
3658	C00139667	UGI CORPORATION POLITICAL ACTION COMMITTEE(UGI/PAC)	DANIELLE DICKERT	\$116,515	0	12/27/2018	21	\$4,040	\$161
3659	C00558668	ULTRA ELECTRONICS USA GROUP INC PAC (ULTRA ELECTRONICS USA PAC OR UEUSA PAC)	SCOTT A. MEYERS	\$130,037	0	1/24/2019	49 (Not Filed*)	\$1,134	\$341
3661	C00634915	YOUNG HOOSIER VICTORY FUND	KEVIN BROGHAMER	\$1,136,676	0	12/22/2018	16	\$30,065	\$738

* 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 (Unauthorized)	
Filers) for the Administrative Fine Program:)	
21ST CENTURY DEMOCRATS, and	)	AF# 3620
COMBS, BILL as treasurer;)	
AMERICA COMES FIRST PAC, and	)	AF# 3621
SCHAMENS, DAVID W MR. as treasurer;)	
AMERICAN PRINCIPLES, and LAOR,	)	AF# 3622
EYTAN as treasurer;)	
AMERICAN RENTAL ASSOCIATION	)	AF# 3623
POLITICAL ACTION COMMITTEE, and)	
MCCLELLAND, JOHN W. MR. as)	
treasurer;)	
AMERICANS SUPPORTING VETERANS	)	AF# 3624
PAC, and SLY, MARK as treasurer;)	
ANDEAVOR LLC POLITICAL ACTION	)	AF# 3625
COMMITTEE, and HUNT, TRAVIS J. as)	
treasurer;)	
BALDWIN WISCONSIN VICTORY	)	AF# 3626
FUND, and CARLSON, GLENN as)	
treasurer;)	
BORDER HEALTH FEDERAL PAC, and	)	AF# 3627
ERNIE PEREZ as treasurer;)	
BRAND NEW CONGRESS, and	)	AF# 3628
ALLISON, ISRA as treasurer;)	
BROADER REPRESENTATION	)	AF# 3629
ADVOCACY TEAM - POLITICAL)	
ACTION COMMITTEE, and)	
HENDRICKS, JASPER III as treasurer;)	
BUILD THE WAVE, and NATHAN	)	AF# 3630
LERNER as treasurer;)	
CAROLYN'S PAC, and MENDEZ,	)	AF# 3631
MELISSA A. MS as treasurer;)	
COMPTEL PAC, and STROW, JULIA as	)	AF# 3632
treasurer;)	
CONNECTICUT DEMOCRATIC STATE	)	AF# 3633
CENTRAL COMMITTEE, and POHL,)	
MICHAEL as treasurer;)	
CONSERVATIVE TRIUMPH FUND, and)	AF# 3634
RAMIREZ, RONALD as treasurer;)	

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DRIVE POLITICAL FUND CHAPTER 886, and TOM RITTER as treasurer;)	AF# 3635
DEMOCRATS WORK FOR AMERICA, INC, and KAILAR, SUDHA as treasurer;)	AF# 3636
GRASSROOTS AWARENESS PAC, and MATTSON, PAM as treasurer;	)	AF# 3637
KENTUCKY BANKERS POLITICAL ACTION COMMITTEE, and MATT VANCE as treasurer;	)	AF# 3638
LIBERTARIAN PARTY OF ILLINOIS, and DUNN, BRIAN W. as treasurer;	)	AF# 3639
LIBERTY FOR US SUPER PAC, and JOHNSON, BRAD as treasurer;	)	AF# 3640
NATIONAL TURKEY FEDERATION POLITICAL ACTION COMMITTEE/TURPAC, and BRANDENBERGER, JOEL as treasurer;	)	AF# 3641
NEW NATION RISING, and OGUNNAIKE, OLUFEMI as treasurer;	)	AF# 3642
NY19VOTES, and SAKAI, LINDA as treasurer;	)	AF# 3643
PEACE ACTION PAC/ FKA SANE/FREEZE PAC, and ROSALIE GREENE as treasurer;	)	AF# 3644
PIPEFITTERS LOCAL UNION #524, and DOLAN, PATRICK as treasurer;	)	AF# 3645
PIPEFITTERS LOCAL UNION #533 VOLUNTEER POLITICAL FUND, and SCOTT FORBES as treasurer;	)	AF# 3646
RAND PAUL VICTORY, and BROGHAMER, KEVIN as treasurer;	)	AF# 3647
ROCK CITY PAC, and KAEGI, KIMBERLY as treasurer;	)	AF# 3648
RURAL PROGRESS, and IRVIN, NATHANIEL as treasurer;	)	AF# 3649
SASSE LEADERSHIP COMMITTEE, and RALLS, STEVE as treasurer;	)	AF# 3650
STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS (SHOPO POLITICAL ACTION FUND), and SMITH, JAMES M MR. as treasurer;	)	AF# 3651
STOP THE SPEAKER PAC, and LEVINSON, JEREMY as treasurer;)	AF# 3652
TEXAS PATRIOTS PAC, and WILLIAM J. O'SULLIVAN, JR. as treasurer;)	AF# 3653

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THE FUND FOR AMERICAN)	AF# 3654
EXCEPTIONALISM, and BONDERMAN,)	
REGAN MRS. as treasurer;)	
TOGETHER WE THRIVE, and	)	AF# 3655
CHRISTOPHER ZULLO as treasurer;)	
TOMORROW IS MEANINGFUL PAC,	)	AF# 3656
and WIGGINS, STACY as treasurer;)	
TTX PAC, and PATRICK B LOFTUS as	)	AF# 3657
treasurer;)	
UGI CORPORATION POLITICAL	)	AF# 3658
ACTION COMMITTEE(UGI/PAC), and)	
DICKERT, DANIELLE as treasurer;)	
ULTRA ELECTRONICS USA GROUP	)	AF# 3659
INC PAC (ULTRA ELECTRONICS USA)	
PAC OR UEUSA PAC), and MEYERS,)	
SCOTT A as treasurer;)	
YOUNG HOOSIER VICTORY FUND, and	)	AF# 3661
BROGHAMER, KEVIN as treasurer;)	

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission, do hereby certify that on March 21, 2019 the Commission took the following actions on the Reason To Believe Recommendation - 2018 30 Day Post-General Report (Unauthorized Filers) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated March 20, 2019, on the following committees:

AF#3620 Decided by a vote of 4-0 to: (1) find reason to believe that 21ST CENTURY DEMOCRATS, and COMBS, BILL 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#3621 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICA COMES FIRST PAC, and SCHAMENS, DAVID W 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#3622 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICAN PRINCIPLES, and LAOR, EYTAN 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#3623 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICAN RENTAL ASSOCIATION POLITICAL ACTION COMMITTEE, and MCCLELLAND, JOHN W. 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#3624 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICANS SUPPORTING VETERANS PAC, and SLY, MARK 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#3625 Decided by a vote of 4-0 to: (1) find reason to believe that ANDEAVOR LLC POLITICAL ACTION COMMITTEE, and HUNT, TRAVIS J. 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#3626 Decided by a vote of 4-0 to: (1) find reason to believe that BALDWIN WISCONSIN VICTORY FUND, and CARLSON, GLENN 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#3627 Decided by a vote of 4-0 to: (1) find reason to believe that BORDER HEALTH FEDERAL PAC, and ERNIE PEREZ 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#3628 Decided by a vote of 4-0 to: (1) find reason to believe that BRAND NEW CONGRESS, and ALLISON, ISRA 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#3629 Decided by a vote of 4-0 to: (1) find reason to believe that BROADER REPRESENTATION ADVOCACY TEAM - POLITICAL ACTION COMMITTEE, and HENDRICKS, JASPER III 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#3630 Decided by a vote of 4-0 to: (1) find reason to believe that BUILD THE WAVE, and NATHAN LERNER 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#3631 Decided by a vote of 4-0 to: (1) find reason to believe that CAROLYN'S PAC, and MENDEZ, MELISSA A. MS 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#3632 Decided by a vote of 4-0 to: (1) find reason to believe that COMPTTEL PAC, and STROW, JULIA 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#3633 Decided by a vote of 4-0 to: (1) find reason to believe that CONNECTICUT DEMOCRATIC STATE CENTRAL COMMITTEE, and POHL, MICHAEL 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#3634 Decided by a vote of 4-0 to: (1) find reason to believe that CONSERVATIVE TRIUMPH FUND, and RAMIREZ, RONALD 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#3635 Decided by a vote of 4-0 to: (1) find reason to believe that D R I V E POLITICAL FUND CHAPTER 886, and TOM RITTER 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#3636 Decided by a vote of 4-0 to: (1) find reason to believe that DEMOCRATS WORK FOR AMERICA, INC, and KAILAR, SUDHA 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#3637 Decided by a vote of 4-0 to: (1) find reason to believe that GRASSROOTS AWARENESS PAC, and MATTSON, PAM 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#3638 Decided by a vote of 4-0 to: (1) find reason to believe that KENTUCKY BANKERS POLITICAL ACTION COMMITTEE, and MATT VANCE 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#3639 Decided by a vote of 4-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF ILLINOIS, and DUNN, BRIAN W. 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.

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AF#3640 Decided by a vote of 4-0 to: (1) find reason to believe that LIBERTY FOR US SUPER PAC, and JOHNSON, BRAD 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#3641 Decided by a vote of 4-0 to: (1) find reason to believe that NATIONAL TURKEY FEDERATION POLITICAL ACTION COMMITTEE/TURPAC, and BRANDENBERGER, JOEL 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#3642 Decided by a vote of 4-0 to: (1) find reason to believe that NEW NATION RISING, and OGUNNAIKE, OLUFEMI 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#3643 Decided by a vote of 4-0 to: (1) find reason to believe that NY19VOTES, and SAKAI, LINDA 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#3644 Decided by a vote of 4-0 to: (1) find reason to believe that PEACE ACTION PAC/ FKA SANE/FREEZE PAC, and ROSALIE GREENE 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#3645 Decided by a vote of 4-0 to: (1) find reason to believe that PIPEFITTERS LOCAL UNION #524, and DOLAN, PATRICK 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#3646 Decided by a vote of 4-0 to: (1) find reason to believe that PIPEFITTERS LOCAL UNION #533 VOLUNTEER POLITICAL FUND, and SCOTT FORBES 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#3647 Decided by a vote of 4-0 to: (1) find reason to believe that RAND PAUL VICTORY, and BROGHAMER, KEVIN 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#3648 Decided by a vote of 4-0 to: (1) find reason to believe that ROCK CITY PAC, and KAEGI, KIMBERLY 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#3649 Decided by a vote of 4-0 to: (1) find reason to believe that RURAL PROGRESS, and IRVIN, NATHANIEL 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#3650 Decided by a vote of 4-0 to: (1) find reason to believe that SASSE LEADERSHIP COMMITTEE, and RALLS, STEVE 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#3651 Decided by a vote of 4-0 to: (1) find reason to believe that STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS (SHOPO POLITICAL ACTION FUND), and SMITH, JAMES M 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.

Federal Election Commission
Certification for Administrative Fines
March 21, 2019

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AF#3652 Decided by a vote of 4-0 to: (1) find reason to believe that STOP THE SPEAKER PAC, and LEVINSON, JEREMY 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#3653 Decided by a vote of 4-0 to: (1) find reason to believe that TEXAS PATRIOTS PAC, and WILLIAM J. O'SULLIVAN, JR. 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#3654 Decided by a vote of 4-0 to: (1) find reason to believe that THE FUND FOR AMERICAN EXCEPTIONALISM, and BONDERMAN, REGAN MRS. 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#3655 Decided by a vote of 4-0 to: (1) find reason to believe that TOGETHER WE THRIVE, and CHRISTOPHER ZULLO 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#3656 Decided by a vote of 4-0 to: (1) find reason to believe that TOMORROW IS MEANINGFUL PAC, and WIGGINS, STACY 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#3657 Decided by a vote of 4-0 to: (1) find reason to believe that TTX PAC, and PATRICK B LOFTUS 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.

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AF#3658 Decided by a vote of 4-0 to: (1) find reason to believe that UGI CORPORATION POLITICAL ACTION COMMITTEE(UGI/PAC), and DICKERT, DANIELLE 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#3659 Decided by a vote of 4-0 to: (1) find reason to believe that ULTRA ELECTRONICS USA GROUP INC PAC (ULTRA ELECTRONICS USA PAC OR UEUSA PAC), and MEYERS, SCOTT A 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#3661 Decided by a vote of 4-0 to: (1) find reason to believe that YOUNG HOOSIER VICTORY FUND, and BROGHAMER, KEVIN 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:

March 21, 2019

Date

Dayna C. Brown

Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 21, 2019

Sudha Kailar, in official capacity as Treasurer
Democrats Work for America, Inc
PO Box 29164
Saint Louis, MO 63126

C00650432
AF#: 3636

Dear Ms. Kailar:

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, 2018 through November 26, 2018 shall be filed no later than December 6, 2018. 52 U.S.C. § 30104(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on December 31, 2018, 25 days late.

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. § 30109g(a)(4). On March 21, 2019, the FEC found that there is reason to believe ("RTB") that Democrats Work for America, 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 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 \$6,589. 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/af/pay.shtml> 11 CFR § 111.34. Your payment of \$6,589 is due within forty (40) days of the finding, or by April 30, 2019, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$168,185
Number of Days Late: 25
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 April 30, 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 Democrats Work for America, 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.

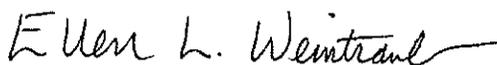
5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including 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/af/pay.shtml>. 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
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 \$6,589 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: Democrats Work for America, Inc

FEC ID#: C00650432

AF#: 3636

PAYMENT DUE DATE: April 30, 2019

PAYMENT AMOUNT DUE: \$6,589

May 10, 2019

Dear FEC Office of Administrative Review,

I am writing to appeal the fine we incurred due to our failure to file a 30-Day Post General Report on time. We are a new political action committee and were not aware of this particular filing requirement. We did file the report as soon as we became aware of our negligence. We have not missed any other filing requirements and normally file ahead of the deadline. We will take care in the future to double-check that we are aware of all filing dates.

Sincerely,

A handwritten signature in black ink that reads "Rachel Murphy Azzara". The signature is written in a cursive, flowing style.

Rachel Murphy Azzara
Executive Director
Democrats Work For America

C00650432

AF#: 3636



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 21, 2019

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

AF# 3636 – Democrats Work for America, Inc. and Sudha Kailar, in her official capacity as Treasurer (C00650432)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$6,589 civil money penalty.

Reason-to-Believe Background

The 2018 Post-General Report was due on December 6, 2018. The respondents filed the report on December 31, 2018, 25 days late. The report is not election sensitive and was filed within 30 days of the due date; therefore, the report is considered late. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On March 21, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Post-General Report and made a preliminary determination that the civil money penalty was \$6,589 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 March 21, 2019 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 committee not authorized by a candidate shall file a post-general report covering through the 20th day after the election no later than 30 days after the election. 52 U.S.C. § 30104(a) 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 15, 2019, the Commission received the written response ("challenge") from the respondents. The challenge states, in part:

We are a new political action committee and were not aware of this particular filing requirement. We did file the report as soon as we became aware of our negligence. We have not missed any other filing requirements and normally file ahead of the deadline. We will take care in the future to double-check that we are aware of all filing dates.

Analysis

Commission records indicate the Committee was notified of their 2018 Post-General reporting requirement on multiple occasions prior to the filing deadline. On November 8, 2018, the Commission's Information Division sent the 2018 General Election Prior Notice to sumohan@democratsworkforamerica.org and rmazzara@democratsworkforamerica.org, the email addresses listed on the Committee's Statement of Organization. The notice included information regarding the requirement to file the 2018 Post-General Report. On December 3, 2018, the Commission's Electronic Filing Office ("EFO") sent a reminder email regarding the 2018 Post-General Report to the same email addresses. On December 7, 2018, the day following the filing deadline, EFO sent a late notification email to the same email addresses because the report had not yet been filed. On December 20, 2018, RAD sent the non-filer notification via email to the same email addresses.

The 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). Failure to know reporting dates and negligence are specifically included at 11 C.F.R. § 111.35(d) as examples of a circumstance that will not be considered reasonably unforeseen and beyond the respondents' control. A committee's compliance with other filing deadlines is also not considered. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$6,589 civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3636 involving Democrats Work for America, Inc. and Sudha Kailar, in her official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3636 that Democrats Work for America, Inc. and Sudha Kailar, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$6,589 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. 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.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Democrats Work for America, Inc.:
 - A) Non-Filer Letter, dated December 20, 2018, referencing the 2018 30 Day Post-General Report (sent via electronic mail to: rmazzara@democratsworkforamerica.org and sumohan@democratsworkforamerica.org);
 - B) Reason-to-Believe Letter, dated March 21, 2019, referencing the 2018 30 Day Post-General Report (sent via electronic mail to: rmazzara@democratsworkforamerica.org).
4. I hereby certify that I have searched the Commission’s public records and find that Democrats Work for America, Inc. filed the 2018 30 Day Post-General Report with the Commission on December 31, 2018.
5. 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 June, 2019.

Ben Holly for KDR
Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

December 20, 2018

KAILAR, SUDHA, TREASURER
DEMOCRATS WORK FOR AMERICA, INC
PO BOX 29164
SAINT LOUIS, MO 63126

IDENTIFICATION NUMBER: C00650432

REFERENCE: POST-GENERAL REPORT (10/01/2018 - 11/26/2018)

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)

It is important that you file this report immediately with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. 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 Jamie Sikorsky in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1137.

DEMOCRATS WORK FOR AMERICA, INC

Page 2 of 2

Sincerely,

Debbie Chacona

Deborah Chacona
Assistant Staff Director
Reports Analysis Division

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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 committee not authorized by a candidate shall file a post-general report covering through the 20th day after the election no later than 30 days after the election.. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on December 6, 2018 for the 2018 Post-General Report to be timely filed.
- 3) 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) Cover, Summary, and Detailed Summary Pages of the 2018 Post-General Report filed by Democrats Work for America, Inc. and Sudha Kailar, in her official capacity as Treasurer. The report includes the coverage period of October 1, 2018 through November 26, 2018 and was electronically filed on December 31, 2018.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 21st day of June, 2019.

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

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 Democrats Work For America, Inc

ADDRESS (number and street) PO Box 29164 St. Louis MO 63126

2. FEC IDENTIFICATION NUMBER C00650432 3. IS THIS REPORT NEW OR AMENDED

4. TYPE OF REPORT (Choose One) (a) Quarterly Reports: April 15, July 15, October 15, January 31, July 31 Mid-Year, Termination Report (b) Monthly Report Due On: Feb 20, Mar 20, Apr 20, May 20, Jun 20, Jul 20, Aug 20, Sep 20, Oct 20, Nov 20, Dec 20, Jan 31 (c) 12-Day Report for the: Primary, General, Runoff, Convention, Special (d) 30-Day Report for the: General, Runoff, Special

5. Covering Period 10/01/2018 through 11/26/2018

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete. Kailar, Sudha, , , Type or Print Name of Treasurer

Signature of Treasurer Kailar, Sudha, , , [Electronically Filed] Date 12/31/2018

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

**SUMMARY PAGE
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 05/2016)

Write or Type Committee Name

Democrats Work For America, Inc

Report Covering the Period: From: To:

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, <input type="text" value="2018"/>		40003.23
(b) Cash on Hand at Beginning of Reporting Period.....	76167.17	
(c) Total Receipts (from Line 19)	148747.42	262724.03
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	224914.59	302727.26
7. Total Disbursements (from Line 31)	19438.94	97251.61
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	205475.65	205475.65
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

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

For further information contact:

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

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

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3X (Rev. 05/2016)

Page 3

Write or Type Committee Name

Democrats Work For America, Inc

Report Covering the Period: From:

M	M	/	D	D	/	Y	Y	Y	Y
10			01			2018			

 To:

M	M	/	D	D	/	Y	Y	Y	Y
11			26			2018			

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).....	62717.58	130247.33
(ii) Unitemized	86029.84	132110.96
(iii) TOTAL (add Lines 11(a)(i) and (ii)).....▶	148747.42	262358.29
(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)	148747.42	262358.29
12. Transfers From Affiliated/Other Party Committees	0.00	0.00
13. All Loans Received	0.00	0.00
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	365.74
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	0.00
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)).....▶	148747.42	262724.03
20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶	148747.42	262724.03

DETAILED SUMMARY PAGE
of Disbursements

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	16738.94	93179.64
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b))	16738.94	93179.64
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 (52 U.S.C. § 30116(d)) (use Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	0.00	0.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees	2700.00	3020.00
(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)).....	2700.00	3020.00
29. Other Disbursements (Including Non-Federal Donations).....	0.00	1051.97
30. Federal Election Activity (52 U.S.C. § 30101(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)) ..	19438.94	97251.61
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	19438.94	97251.61

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 5

III. Net Contributions/ Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3)	148747.42	262358.29
34. Total Contribution Refunds (from Line 28(d))	2700.00	3020.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	146047.42	259338.29
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))	16738.94	93179.64
37. Offsets to Operating Expenditures (from Line 15, page 3).....	0.00	365.74
38. Net Operating Expenditures (subtract Line 37 from Line 36)	16738.94	92813.90



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 21, 2019

Sudha Kailar, in official capacity as Treasurer
Democrats Work for America, Inc.
P.O. Box 29164
Saint Louis, MO 63126

C00650432
AF#: 3636

Dear Ms. Kailar:

On March 21, 2019, the Federal Election Commission (“Commission”) found reason to believe (“RTB”) that Democrats Work for America, Inc. and you, in your official capacity as Treasurer (“respondents”), violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Post-General Report. The Commission also made a preliminary determination that the civil money penalty was \$6,589 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 that the respondents violated 52 U.S.C. § 30104(a) and assess a civil money penalty. 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, 1050 First Street, NE, 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 202-694-1158 if you have any questions.

Sincerely,

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2019 OCT 15 AM 9:50

October 15, 2019

MEMORANDUM

SENSITIVE

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: Final Determination Recommendation in AF# 3636 – Democrats Work for America, Inc. and Sudha Kailar, in her official capacity as Treasurer (C00650432)

On March 21, 2019, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Post-General Report and made a preliminary determination that the civil money penalty was \$6,589 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 15, 2019, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated June 21, 2019 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$6,589 civil money penalty.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). On October 11, 2019, the respondents indicated they were unaware of the FEC email correspondence mentioned in the ROR because it was routed to the recipient’s junk mail folder. The respondents have taken steps to ensure future FEC emails are not considered junk mail. The respondents also stated “[t]he fine is unfortunate as we are not a large [PAC] and operate with a small dollar funding stream.”

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3636 involving Democrats Work for America, Inc. and Sudha Kailar, in her official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3636 that Democrats Work for America, Inc. and Sudha Kailar, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$6,589 civil money penalty; and
3. Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3636
 Final Determination Recommendation:)
 Democrats Work for America, Inc. and)
 Sudha Kailar, in her official capacity as)
 Treasurer (C00650432))

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 29, 2020, the Commission decided by a vote of 4-0 to take the following actions in AF# 3636:

1. Adopt the Reviewing Officer recommendation for AF# 3636 involving Democrats Work for America, Inc. and Sudha Kailar, in her official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3636 that Democrats Work for America, Inc. and Sudha Kailar, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$6,589 civil money penalty.
3. Send the appropriate letter.

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

Attest:

**Laura
Sinram**

Digitally signed by
Laura Sinram
Date: 2020.07.28
09:51:55 -04'00'



 Laura E. Sinram
 Acting Secretary and Clerk of the
 Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 28, 2020

Sudha Kailar, in official capacity as Treasurer
Democrats Work for America, Inc.
P.O. Box 29164
Saint Louis, MO 63126

C00650432
AF#: 3636

Dear Ms. Kailar:

On March 21, 2019, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2018 Post-General Report. By letter dated March 21, 2019, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$6,589 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 15, 2019, 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 Democrats Work for America, Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$6,589 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on June 21, 2019.

On June 29, 2020, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Democrats Work for America, 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 \$6,589. 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). 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 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 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 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 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) 694-1158.

On behalf of the Commission,

A handwritten signature in black ink, reading "J.E. Trainor, III". The signature is written in a cursive style with a large, stylized initial "J" and "E".

James E. "Trey" Trainor III
Chair

Attachment

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at final determination is \$6,589 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. Please use the details below to complete the required fields. For additional payment options, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1158.

COMMITTEE NAME: Democrats Work for America, Inc.

FEC ID#: C00650432

AF#: 3636

PAYMENT AMOUNT DUE: \$6,589

THIS IS THE END OF ADMINISTRATIVE FINE CASE #3636