

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE #3699



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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**SENSITIVE**

April 2, 2019

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP by BAH*  
Staff Director

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

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

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

SUBJECT: Reason To Believe Recommendation – 2018 Year-End Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2018 Year-End Report in accordance with 52 U.S.C. § 30104(a). The Year-End Report was due on January 31, 2019.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

In order to determine the level of activity for unauthorized quarterly filers that filed a Year-End Report and were required to but failed to file the 30 Day Post-General Report, the Reports Analysis Division (RAD) used the following procedures and criteria:

- 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 30 Day Post-General Report (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 YE fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a YE that covered the period from November 27, 2018 through December 31, 2018 (35 days). 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 38.04% (35 days (correct YE Filing Period)/92 days (submitted 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 YE.

### **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 YEAR-END Not Election Sensitive 01/31/2019 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3662	C00637462	ALLISON FOR CONGRESS	ALLISON GALBRAITH	ALLISON GALBRAITH	\$224,189	0		Not Filed	\$28,024 (est)	\$1,230
3663	C00623256	AMERICA COMES FIRST PAC		DAVID W. SCHAMENS	\$154,404	5		Not Filed	\$154,404 (est)	\$17,986
3664	C00324780	AMERICAN ACADEMY OF EMERGENCY MEDICINE POLITICAL ACTION COMMITTEE AAEM PAC		WILLIAM T. DURKIN, JR.	\$120,046	0	2/6/2019	6	\$10,921	\$182
3665	C00658757	AMERICANS SUPPORTING VETERANS PAC		MARK SLY	\$695,765	0	3/29/2019	57 (Not Filed*)	\$119,609	\$6,541
3666	C00638692	ANDREW TAKAMI FOR US SENATE	ANDREW BENJAMIN TAKAMI	RONALD F. BARNES	\$332,746	0	3/26/2019	54 (Not Filed*)	\$298	\$298
3667	C00216184	ANESTHESIA SERVICE MEDICAL GROUP ADVOCACY FUND		C. APRIL BOLING	\$117,891	0	2/11/2019	11	\$3,423	\$101
3668	C00639427	ARUNA MILLER FOR CONGRESS	ARUNA MILLER	SUDHIR SEKHSARIA	\$2,934,505	0		Not Filed	\$419,215 (est)	\$13,080
3669	C00673459	BARIA FOR MISSISSIPPI	DAVID WAYNE BARIA	WILL GODFREY	\$1,483,988	0		Not Filed	\$247,331 (est)	\$9,446
3670	C00636175	BILLY KOVACS FOR CONGRESS	WILLIAM RICHARD KOVACS	BILLY KOVACS	\$144,244	0		Not Filed	\$20,606 (est)	\$684
3671	C00661413	BOPHA MALONE FOR CONGRESS	BOPHA MALONE	JOSH ASLANIAN	\$150,805	0	4/1/2019	60 (Not Filed*)	\$3,563	\$341
3672	C00652321	CARRIGAN FOR CONGRESS	SEAN J. CARRIGAN	KADENIA JAVIS	\$303,162	0		Not Filed	\$50,527 (est)	\$3,925
3673	C00667279	COMMITTEE TO ELECT ENOCH	VANESSA L. ENOCH	CATHERINE JOHNSON	\$116,150	0		Not Filed	\$19,358 (est)	\$684
3674	C00663104	COMMITTEE TO ELECT HP	HAMID PARVIZIAN	DOUNIA METOURI	\$213,822	0		Not Filed	\$106,911 (est)	\$6,541
3676	C00663435	COMMITTEE TO ELECT MAURO GARZA FOR US CONGRESS	MAURO EVERETT GARZA	BERNARDINO RODRIGUEZ	\$267,918	0	3/5/2019	33 (Not Filed*)	\$206	\$206
3677	C00516922	COMMITTEE TO ELECT RON VARASTEH	RON VARASTEH	MASHA MACURDA	\$504,325	0		Not Filed	\$56,036 (est)	\$3,925
3679	C00634865	DALE KERNS FOR OFFICE	DALE RONALD KERNS JR.	JOSEPH P. SOLOSKI	\$403,511	0		Not Filed	\$50,439 (est)	\$3,925
3680	C00665364	DEAGLAN MCEACHERN FOR CONGRESS	DEAGLAN MCEACHERN	LORI TIERNAN	\$534,471	0		Not Filed	\$133,618 (est)	\$6,541
3681	C00630798	DOROTHY GASQUE FOR CONGRESS	DOROTHY GASQUE	MEGAN JONES	\$134,065	0		Not Filed	\$19,152 (est)	\$684
3682	C00641340	ERIC FOR US	ERIC HOLGUIN	ELIZABETH PEREZ	\$401,267	0	3/18/2019	46 (Not Filed*)	\$1,753	\$341
3683	C00650929	ETHAN PHAM FOR CONGRESS	ETHAN PHAM	JENNY NGUYEN	\$899,086	0		Not Filed	\$179,817 (est)	\$7,994
3684	C00377168	FEMINIST MAJORITY PAC		PEG YORKIN	\$121,047	0	2/13/2019	13	\$1,207	\$113
3685	C00610022	FINANCE COMMITTEE FOR DOUGLAS HOWARD PIERCE	DOUGLAS HOWARD PIERCE	DOUGLAS HOWARD PIERCE	\$192,800	0		Not Filed	\$32,133 (est)	\$1,230

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3686	C00638536	FRIENDS OF DANNER KLINE	DANNER KLINE	WILLIAM DAVIS	\$574,864	0		Not Filed	\$63,874 (est)	\$3,925
3687	C00670992	FRIENDS OF DAVID WERTIME	DAVID WERTIME	RICHARD WERTIME	\$260,085	0	2/25/2019	25	\$2,488	\$185
3688	C00630434	FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS	EDWIN SANTANA JR.	TRACY LEE SANTANA	\$117,759	0		Not Filed	\$19,627 (est)	\$684
3689	C00400317	FULTON FINANCIAL CORPORATION PAC		MICHAEL J. DEPORTER	\$229,548	0		Not Filed	\$28,694 (est)	\$1,230
3690	C00656744	GEORGE FRANKLIN FOR CONGRESS	GEORGE FRANKLIN	HEATHER RICKETTS	\$1,687,482	0		Not Filed	\$337,496 (est)	\$11,627
3691	C00634048	GREG PILKINGTON FOR CONGRESS	JAMES GREGORY PILKINGTON	PHYLLIS WHITNEY	\$127,983	0		Not Filed	\$21,331 (est)	\$684
3692	C00664086	HART 2020	HART P. CUNNINGHAM	HART C. CUNNINGHAM	\$677,345	0		Not Filed	\$225,782 (est)	\$9,446
3693	C00492157	INSPIRE BRANDS INC. POLITICAL ACTION COMMITTEE		DANTON NOLAN	\$177,978	0	2/13/2019	13	\$594	\$113
3694	C00660977	JASON NICHOLS FOR CONGRESS	JASON NICHOLS	JASON NICHOLS	\$266,815	0	2/19/2019	19	\$1,536	\$149
3695	C00677872	JONATHAN JENKINS FOR SENATE COMMITTEE	JONATHAN JENKINS	CHRIS EHLINGER	\$1,049,103	0		Not Filed	\$1,049,103 (est)	\$17,440
3696	C00678557	LAKE FOR CONGRESS	JEANNINE LEE LAKE	JESSE NAHSHON PRATER	\$132,721	0		Not Filed	\$44,240 (est)	\$1,230
3697	C00622910	LIBERTY T		SAMUEL B. CASEY	\$170,690	0		Not Filed	\$24,384 (est)	\$684
3698	C00665372	MALARSIE HOUSE RUN 2018	MARY MALARSIE	TERRY BLEVINS	\$217,111	0		Not Filed	\$43,422 (est)	\$1,230
3699	C00664516	MARTY GEARHEART FOR CONGRESS	MARTY GEARHEART	NISHANT GROVER	\$182,662	0		Not Filed	\$60,887 (est)	\$3,925
3700	C00634964	NEW NATION RISING		OLUFEMI OGUNNAIKE	\$1,512,947	0		Not Filed	\$252,158 (est)	\$11,627
3701	C00657189	PEOPLE FOR CORBIN-JOHNSON	SHAVONNIA CORBIN-JOHNSON	JOSEPH BACHMAN	\$480,628	0		Not Filed	\$96,126 (est)	\$5,086
3702	C00192849	PLUMBERS AND PIPEFITTERS LOCAL UNION 74		MICHAEL B. HACKENDORN	\$283,458	2		Not Filed	\$40,494 (est)	\$1,845
3703	C00647560	REUBEN FOR CONGRESS	REUBEN D'SILVA	BREON KING	\$117,681	0		Not Filed	\$39,226 (est)	\$1,230
3704	C00661256	ROEL GARCIA FOR CONGRESS	ROEL GARCIA	ROCIO GARCIA	\$102,778	0		Not Filed	\$25,695 (est)	\$1,230
3705	C00640755	ROZA CALDERON FOR CONGRESS 2018	ROZA I. CALDERON	MICHAEL WILLIAMS	\$129,499	1		Not Filed	\$32,375 (est)	\$1,537
3706	C00671040	RURAL PROGRESS		NATHANIEL IRVIN	\$110,372	0		Not Filed	\$36,791 (est)	\$1,230
3707	C00661181	SAM DEEN FOR CONGRESS	SAM ALAN DEEN,	TERI LYNN PRUITT	\$159,926	0		Not Filed	\$31,985 (est)	\$1,230
3708	C00640151	SARAH SMITH 2018	SARAH SMITH	ANDY LO	\$238,279	0		Not Filed	\$26,475 (est)	\$1,230
3709	C00659326	SHAYANI FOR CONGRESS 2018	PAYAM MARK SHAYANI	SHAROKIN VARDEH-DARIUSH	\$225,842	0		Not Filed	\$56,461 (est)	\$3,925

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3710	C00649947	SOLOMON FOR CONGRESS	ROBERT SOLOMON	ROBERT CHARLES SOLOMON	\$560,780	0		Not Filed	\$112,156 (est)	\$6,541
3711	C00641571	TEXANS FOR TEXAS		DAVID TERRY	\$697,929	0	3/18/2019	46 (Not Filed*)	\$384	\$341
3712	C00626564	THE SEASONAL EMPLOYER PAC		ELIZABETH WHITLEY	\$112,629	0	2/8/2019	8	\$5,136	\$116
3713	C00626671	THE UTE PAC		ROBERT GEORGE LUCERO JR.	\$231,041	0	3/7/2019	35 (Not Filed*)	\$145	\$145
3714	C00674978	THOMAS FOR FIRST	THOMAS RUDBECK	THOMAS RUDBECK	\$496,144	0		Not Filed	\$124,036 (est)	\$6,541
3715	C00678300	TIM AALDERS FOR US SENATE	TIMOTHY NOEL AALDERS	TIM AALDERS	\$212,994	0		Not Filed	\$53,249 (est)	\$3,925
3716	C00649368	TIM RICH FOR CONGRESS	TIMOTHY A. RICH	TIMOTHY A. RICH	\$136,614	0		Not Filed	\$45,538 (est)	\$1,230
3717	C00629881	TO ELECT JENNY MARSHALL	JENNIFER MARSHALL	JENNIFER MARSHALL	\$259,528	0		Not Filed	\$37,075 (est)	\$1,230
3718	C00433672	TRANSYSTEMS CORPORATION PAC		PAUL J. MALIR	\$140,196	0	2/22/2019	22	\$12,591	\$278
3719	C00683813	WE ARE GREAT AGAIN PAC		RYAN NEWSOME	\$509,132	0	2/22/2019	22	\$132,207	\$4,875

\* 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	)	
Year-End Report for the Administrative	)	
Fine Program:	)	
ALLISON FOR CONGRESS, and	)	AF# 3662
ALLISON GALBRAITH as treasurer;	)	
AMERICA COMES FIRST PAC, and	)	AF# 3663
SCHAMENS, DAVID W MR. as treasurer;	)	
AMERICAN ACADEMY OF	)	AF# 3664
EMERGENCY MEDICINE POLITICAL	)	
ACTION COMMITTEE AAEM PAC, and	)	
DR. WILLIAM T DURKIN, JR as	)	
treasurer;	)	
AMERICANS SUPPORTING VETERANS	)	AF# 3665
PAC, and SLY, MARK as treasurer;	)	
ANDREW TAKAMI FOR US SENATE,	)	AF# 3666
and RONALD F BARNES CPA/PFS as	)	
treasurer;	)	
ANESTHESIA SERVICE MEDICAL	)	AF# 3667
GROUP ADVOCACY FUND, and C	)	
APRIL BOLING as treasurer;	)	
ARUNA MILLER FOR CONGRESS, and	)	AF# 3668
SEKHSARIA, SUDHIR MD as treasurer;	)	
BARIA FOR MISSISSIPPI, and	)	AF# 3669
GODFREY, WILL as treasurer;	)	
BILLY KOVACS FOR CONGRESS, and	)	AF# 3670
KOVACS, BILLY as treasurer;	)	
BOPHA MALONE FOR CONGRESS, and	)	AF# 3671
ASLANIAN, JOSH MR. as treasurer;	)	
CARRIGAN FOR CONGRESS, and	)	AF# 3672
JAVIS, KADENIA as treasurer;	)	
COMMITTEE TO ELECT ENOCH, and	)	AF# 3673
JOHNSON, CATHERINE as treasurer;	)	
COMMITTEE TO ELECT HP, and	)	AF# 3674
METOURI, DOUNIA as treasurer;	)	

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COMMITTEE TO ELECT MAURO GARZA FOR US CONGRESS, and RODRIGUEZ, BERNARDINO MR. as treasurer;	)	AF# 3676
COMMITTEE TO ELECT RON VARASTEH, and MACURDA, MASHA as treasurer;	)	AF# 3677
DALE KERNS FOR OFFICE, and JOSEPH P SOLOSKI as treasurer;	)	AF# 3679
DEAGLAN MCEACHERN FOR CONGRESS, and TIERNAN, LORI as treasurer;	)	AF# 3680
DOROTHY GASQUE FOR CONGRESS, and JONES, MEGAN as treasurer;	)	AF# 3681
ERIC FOR US, and PEREZ, ELIZABETH as treasurer;	)	AF# 3682
ETHAN PHAM FOR CONGRESS, and NGUYEN, JENNY as treasurer;	)	AF# 3683
FEMINIST MAJORITY PAC, and PEG YORKIN as treasurer;	)	AF# 3684
FINANCE COMMITTEE FOR DOUGLAS HOWARD PIERCE, and DOUGLAS HOWARD PIERCE as treasurer;	)	AF# 3685
FRIENDS OF DANNER KLINE, and DAVIS, WILLIAM as treasurer;	)	AF# 3686
FRIENDS OF DAVID WERTIME, and WERTIME, RICHARD as treasurer;	)	AF# 3687
FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS, and SANTANA, TRACY LEE as treasurer;	)	AF# 3688
FULTON FINANCIAL CORPORATION PAC, and MICHAEL J DEPORTER as treasurer;	)	AF# 3689
GEORGE FRANKLIN FOR CONGRESS, and RICKETTS, HEATHER as treasurer;	)	AF# 3690
GREG PILKINGTON FOR CONGRESS, and WHITNEY, PHYLLIS as treasurer;	)	AF# 3691
HART 2020, and CUNNINGHAM, HART C. as treasurer;	)	AF# 3692
INSPIRE BRANDS INC. POLITICAL ACTION COMMITTEE, and NOLAN, DANTON as treasurer;	)	AF# 3693
JASON NICHOLS FOR CONGRESS, and NICHOLS, JASON as treasurer;	)	AF# 3694

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JONATHAN JENKINS FOR SENATE COMMITTEE, and CHRIS EHLINGER as treasurer;	)	AF# 3695
LAKE FOR CONGRESS, and PRATER, NAHSHON JESSE MR. as treasurer;	)	AF# 3696
	)	
	)	
LIBERTY T, and CASEY, SAMUEL B as treasurer;	)	AF# 3697
MALARSIE HOUSE RUN 2018, and BLEVINS, TERRY as treasurer;	)	AF# 3698
MARTY GEARHEART FOR CONGRESS, and GROVER, NISHANT as treasurer;	)	AF# 3699
NEW NATION RISING, and OGUNNAIKE, OLUFEMI as treasurer;	)	AF# 3700
PEOPLE FOR CORBIN-JOHNSON, and BACHMAN, JOSEPH as treasurer;	)	AF# 3701
PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and HACKENDORN, MICHAEL B as treasurer;	)	AF# 3702
REUBEN FOR CONGRESS, and KING, BREON as treasurer;	)	AF# 3703
ROEL GARCIA FOR CONGRESS, and GARCIA, ROCIO as treasurer;	)	AF# 3704
ROZA CALDERON FOR CONGRESS 2018, and WILIAMS, MICHAEL as treasurer;	)	AF# 3705
RURAL PROGRESS, and IRVIN, NATHANIEL as treasurer;	)	AF# 3706
SAM DEEN FOR CONGRESS, and PRUITT, TERI LYNN as treasurer;	)	AF# 3707
SARAH SMITH 2018, and LO, ANDY as treasurer;	)	AF# 3708
SHAYANI FOR CONGRESS 2018, and VARDEH-DARIUSH, SHAROKIN as treasurer;	)	AF# 3709
SOLOMON FOR CONGRESS, and SOLOMON, ROBERT CHARLES DR. as treasurer;	)	AF# 3710
TEXANS FOR TEXAS, and TERRY, DAVID as treasurer;	)	AF# 3711
THE SEASONAL EMPLOYER PAC, and ELIZABETH WHITLEY as treasurer;	)	AF# 3712

THE UTE PAC, and LUCERO, ROBERT	)	AF# 3713
GEORGE MR JR as treasurer;	)	
THOMAS FOR FIRST, and RUDBECK,	)	AF# 3714
THOMAS as treasurer;	)	
TIM AALDERS FOR US SENATE, and	)	AF# 3715
AALDERS, TIM as treasurer;	)	
TIM RICH FOR CONGRESS, and RICH,	)	AF# 3716
TIMOTHY A as treasurer;	)	
TO ELECT JENNY MARSHALL, and	)	AF# 3717
MARSHALL, JENNIFER as treasurer;	)	
TRANSYSTEMS CORPORATION PAC,	)	AF# 3718
and PAUL J MALIR as treasurer;	)	
WE ARE GREAT AGAIN PAC, and	)	AF# 3719
NEWSOME, RYAN as treasurer;	)	

### CERTIFICATION

I, Laura E. Sinram, Deputy Secretary of the Federal Election Commission, do hereby certify that on April 05, 2019 the Commission took the following actions on the Reason To Believe Recommendation - 2018 Year-End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated April 02, 2019, on the following committees:

AF#3662 Decided by a vote of 4-0 to: (1) find reason to believe that ALLISON FOR CONGRESS, and ALLISON GALBRAITH 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#3663 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.

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AF#3664 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICAN ACADEMY OF EMERGENCY MEDICINE POLITICAL ACTION COMMITTEE AAEM PAC, and DR. WILLIAM T DURKIN, 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#3665 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#3666 Decided by a vote of 4-0 to: (1) find reason to believe that ANDREW TAKAMI FOR US SENATE, and RONALD F BARNES CPA/PFS 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#3667 Decided by a vote of 4-0 to: (1) find reason to believe that ANESTHESIA SERVICE MEDICAL GROUP ADVOCACY FUND, and C APRIL BOLING 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#3668 Decided by a vote of 4-0 to: (1) find reason to believe that ARUNA MILLER FOR CONGRESS, and SEKHSARIA, SUDHIR MD 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#3669 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#3670 Decided by a vote of 4-0 to: (1) find reason to believe that BILLY KOVACS FOR CONGRESS, and KOVACS, BILLY 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#3671 Decided by a vote of 4-0 to: (1) find reason to believe that BOPHA MALONE FOR CONGRESS, and ASLANIAN, JOSH 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#3672 Decided by a vote of 4-0 to: (1) find reason to believe that CARRIGAN FOR CONGRESS, and JAVIS, KADENIA 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#3673 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT ENOCH, and JOHNSON, CATHERINE 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#3674 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT HP, and METOURI, DOUNIA 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#3676 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT MAURO GARZA FOR US CONGRESS, and RODRIGUEZ, BERNARDINO 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#3677 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT RON VARASTEH, and MACURDA, MASHA 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#3679 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#3680 Decided by a vote of 4-0 to: (1) find reason to believe that DEAGLAN MCEACHERN FOR CONGRESS, and TIERNAN, LORI 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#3681 Decided by a vote of 4-0 to: (1) find reason to believe that DOROTHY GASQUE FOR CONGRESS, and JONES, MEGAN 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#3682 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#3683 Decided by a vote of 4-0 to: (1) find reason to believe that ETHAN PHAM FOR CONGRESS, and NGUYEN, JENNY 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#3684 Decided by a vote of 4-0 to: (1) find reason to believe that FEMINIST MAJORITY PAC, and PEG YORKIN 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#3685 Decided by a vote of 4-0 to: (1) find reason to believe that FINANCE COMMITTEE FOR DOUGLAS HOWARD PIERCE, and DOUGLAS HOWARD PIERCE 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#3686 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF DANNER KLINE, and DAVIS, WILLIAM 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#3687 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF DAVID WERTIME, and WERTIME, RICHARD 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#3688 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS, and SANTANA, TRACY LEE 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#3689 Decided by a vote of 4-0 to: (1) find reason to believe that FULTON FINANCIAL CORPORATION PAC, and MICHAEL J DEPORTER 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#3690 Decided by a vote of 4-0 to: (1) find reason to believe that GEORGE FRANKLIN FOR CONGRESS, and RICKETTS, HEATHER 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#3691 Decided by a vote of 4-0 to: (1) find reason to believe that GREG PILKINGTON FOR CONGRESS, and WHITNEY, PHYLLIS 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#3692 Decided by a vote of 4-0 to: (1) find reason to believe that HART 2020, and CUNNINGHAM, HART C. 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#3693 Decided by a vote of 4-0 to: (1) find reason to believe that INSPIRE BRANDS INC. POLITICAL ACTION COMMITTEE, and NOLAN, DANTON 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#3694 Decided by a vote of 4-0 to: (1) find reason to believe that JASON NICHOLS FOR CONGRESS, and NICHOLS, JASON 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#3695 Decided by a vote of 4-0 to: (1) find reason to believe that JONATHAN JENKINS FOR SENATE COMMITTEE, and CHRIS EHLINGER 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#3696 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#3697 Decided by a vote of 4-0 to: (1) find reason to believe that LIBERTY T, and CASEY, SAMUEL 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.

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AF#3698 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#3699 Decided by a vote of 4-0 to: (1) find reason to believe that MARTY GEARHEART FOR CONGRESS, and GROVER, NISHANT 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#3700 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#3701 Decided by a vote of 4-0 to: (1) find reason to believe that PEOPLE FOR CORBIN-JOHNSON, and BACHMAN, JOSEPH 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#3702 Decided by a vote of 4-0 to: (1) find reason to believe that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and HACKENDORN, MICHAEL 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.

AF#3703 Decided by a vote of 4-0 to: (1) find reason to believe that REUBEN FOR CONGRESS, and KING, BREON 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#3704 Decided by a vote of 4-0 to: (1) find reason to believe that ROEL GARCIA FOR CONGRESS, and GARCIA, ROCIO 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#3705 Decided by a vote of 4-0 to: (1) find reason to believe that ROZA CALDERON FOR CONGRESS 2018, and WILIAMS, 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#3706 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#3707 Decided by a vote of 4-0 to: (1) find reason to believe that SAM DEEN FOR CONGRESS, and PRUITT, TERI LYNN 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#3708 Decided by a vote of 4-0 to: (1) find reason to believe that SARAH SMITH 2018, and LO, ANDY 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#3709 Decided by a vote of 4-0 to: (1) find reason to believe that SHAYANI FOR CONGRESS 2018, and VARDEH-DARIUSH, SHAROKIN 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#3710 Decided by a vote of 4-0 to: (1) find reason to believe that SOLOMON FOR CONGRESS, and SOLOMON, ROBERT CHARLES DR. 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#3711 Decided by a vote of 4-0 to: (1) find reason to believe that TEXANS FOR TEXAS, and TERRY, DAVID 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#3712 Decided by a vote of 4-0 to: (1) find reason to believe that THE SEASONAL EMPLOYER PAC, and ELIZABETH WHITLEY 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#3713 Decided by a vote of 4-0 to: (1) find reason to believe that THE UTE PAC, and LUCERO, ROBERT GEORGE MR 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#3714 Decided by a vote of 4-0 to: (1) find reason to believe that THOMAS FOR FIRST, and RUDBECK, THOMAS 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#3715 Decided by a vote of 4-0 to: (1) find reason to believe that TIM AALDERS FOR US SENATE, and AALDERS, TIM 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#3716 Decided by a vote of 4-0 to: (1) find reason to believe that TIM RICH FOR CONGRESS, and RICH, TIMOTHY 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#3717 Decided by a vote of 4-0 to: (1) find reason to believe that TO ELECT JENNY MARSHALL, and MARSHALL, JENNIFER 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.

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

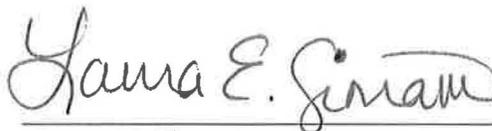
AF#3718 Decided by a vote of 4-0 to: (1) find reason to believe that TRANSYSTEMS CORPORATION PAC, and PAUL J MALIR in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3719 Decided by a vote of 4-0 to: (1) find reason to believe that WE ARE GREAT AGAIN PAC, and NEWSOME, RYAN 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:

4/5/19

Date

Laura E. Sinram

Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 8, 2019

Nishant Grover, in official capacity as Treasurer  
Marty Gearheart for Congress  
PO Box 124  
Bluefield, WV 24701

C00664516  
AF#: 3699

Dear Mr. Grover:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year-End Report of Receipts and Disbursements every calendar year. This report, covering the period October 1, 2018 through December 31, 2018, shall be filed no later than January 31, 2019. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On April 5, 2019, the FEC found that there is reason to believe ("RTB") that Marty Gearheart for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before January 31, 2019. 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 \$3,925. 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 \$3,925 is due within forty (40) days of the finding, or by May 15, 2019, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$60,887  
Number of Days Late: Not Filed  
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 May 15, 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 Marty Gearheart for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

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

### **3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

## **NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

### **4. Partial Payments**

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

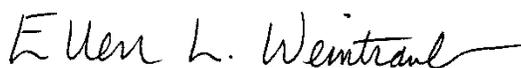
### **5. Settlement Offers**

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

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

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <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

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$3,925 for the 2018 Year-End Report.

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

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

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

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

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

**PAYMENTS BY PERSONAL CHECK**

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

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

---

FOR: Marty Gearheart for Congress

FEC ID#: C00664516

AF#: 3699

PAYMENT DUE DATE: May 15, 2019

PAYMENT AMOUNT DUE: \$3,925

**RECEIVED**

By Office of the Commission Secretary at 11:02 am, Jun 08, 2020



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

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

SUBJECT: Withdrawal and Resubmission of Final Determination Recommendation – 2018 Year-End Report for the Administrative Fine Program

We are withdrawing the document circulated to the Commission on November 26, 2019 in order to reflect updates disclosed in filings received by the Commission after the initial submission of this recommendation. On February 5, 2020, Allison for Congress (AF 3662) filed a 2018 Year-End Report that disclosed no activity for the 2018 Year-End reporting period. Also on February 5, 2020, Lake for Congress (AF 3696) filed a 2018 Year-End Report that disclosed a level of activity lower than previously estimated. On November 26, 2019, Liberty T (AF 3697) filed a complete 2018 Year-End Report that disclosed no activity for the 2018 Year-End reporting period. The circulation chart has been updated to reflect the level of activity and final civil money penalty amounts disclosed on the most recent filings for the above mentioned committees. The chart was also updated to reflect a change in the Treasurer for Andrew Takami for US Senate (AF 3666).

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2018 Year-End Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

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

For your information, twenty-one (21) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. An overview of these cases has been provided below.

Allison for Congress (AF 3662) disclosed no activity after the RTB finding (previously estimated to be \$28,024), which would result in no civil money penalty (fine previously assessed to be \$1,230).

Aruna Miller for Congress (AF 3668) filed the 2018 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$3,893 (previously estimated to be \$419,215), thus the fine would be lowered from \$13,080 to \$341.

Baria for Mississippi (AF 3669) filed the 2018 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$16,512 (previously estimated to be \$247,331), thus the fine would be lowered from \$9,446 to \$684.

Carrigan for Congress (AF 3672) filed the 2018 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$13,085 (previously estimated to be \$50,527), thus the fine would be lowered from \$3,925 to \$684.

Deaglan McEachern for Congress (AF 3680) filed the 2018 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$11,754 (previously estimated to be \$133,618), thus the fine would be lowered from \$6,541 to \$684.

Ethan Pham for Congress (AF 3683) disclosed no activity after the RTB finding (previously estimated to be \$179,817), which would result in no civil money penalty (fine previously assessed to be \$7,994).

Finance Committee for Douglas Howard Pierce (AF 3685) disclosed no activity after the RTB finding (previously estimated to be \$32,133), which would result in no civil money penalty (fine previously assessed to be \$1,230).

Friends of Danner Kline (AF 3686) disclosed no activity after the RTB finding (previously estimated to be \$63,874), which would result in no civil money penalty (fine previously assessed to be \$3,925).

Friends of Edwin Santana Jr. for Congress (AF 3688) filed the 2018 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil

money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$89 (previously estimated to be \$19,627), thus the fine would be lowered from \$684 to \$89.

Fulton Financial Corporation PAC (AF 3689) filed the 2018 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$3,958 (previously estimated to be \$28,694), thus the fine would be lowered from \$1,230 to \$341.

Hart 2020 (AF 3692) disclosed no activity after the RTB finding (previously estimated to be \$225,782), which would result in no civil money penalty (fine previously assessed to be \$9,446).

Lake for Congress (AF 3696) filed the 2018 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$1,782 (previously estimated to be \$44,240), thus the fine would be lowered from \$1,230 to \$341.

Liberty T (AF 3697) disclosed no activity after the RTB finding (previously estimated to be \$7,367), which would result in no civil money penalty (fine previously assessed to be \$410).

Malarsie House Run 2018 (AF 3698) disclosed no activity after the RTB finding (previously estimated to be \$43,422), which would result in no civil money penalty (fine previously assessed to be \$1,230).

People for Corbin-Johnson (AF 3701) disclosed no activity after the RTB finding (previously estimated to be \$96,126), which would result in no civil money penalty (fine previously assessed to be \$5,086).

Plumbers and Pipefitters Local Union 74 (AF 3702) filed the 2018 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$7,150 (previously estimated to be \$40,494), thus the fine would be lowered from \$1,845 to \$615.

Roel Garcia for Congress (AF 3704) disclosed no activity after the RTB finding (previously estimated to be \$25,695), which would result in no civil money penalty (fine previously assessed to be \$1,230).

Shayani for Congress 2018 (AF 3709) disclosed no activity after the RTB finding (previously estimated to be \$56,461), which would result in no civil money penalty (fine previously assessed to be \$3,925).

Solomon for Congress (AF 3710) disclosed no activity after the RTB finding (previously estimated to be \$112,156), which would result in no civil money penalty (fine previously assessed to be \$6,541).

Thomas for First (AF 3714) filed the 2018 Year-End Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that

assessed at RTB. The committee disclosed total receipts and disbursements of \$204 (previously estimated to be \$124,036), thus the fine would be lowered from \$6,541 to \$204.

Tim Aalders for US Senate (AF 3715) disclosed no activity after the RTB finding (previously estimated to be \$53,249), which would result in no civil money penalty (fine previously assessed to be \$3,925).

For your information, three (3) committees disclosed a change in treasurer after the RTB finding. An overview of these cases has been provided below.

Andrew Takami for US Senate (AF 3666) filed an Amended Statement of Organization after the RTB finding designating Andrew Takami as Treasurer.

The previous Treasurer for Jonathan Jenkins for Senate Committee (AF 3695) filed a Miscellaneous Text Submission after the RTB finding indicating his intent to resign. As of today, a new Treasurer has not been officially appointed.

We Are Great Again PAC (AF 3719) filed an Amended Statement of Organization after the RTB finding designating Chris Marston as Treasurer.

### **RAD Recommendation**

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

Federal Election Commission  
FD Circulation Report Fine Paid  
2018 YEAR-END Not Election Sensitive 01/31/2019 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
3666	ANDREW TAKAMI FOR US SENATE	ANDREW BENJAMIN TAKAMI	C00638692	ANDREW TAKAMI	03/26/2019	Not Filed*	\$298	0	04/05/2019	\$298	\$298	05/13/2019	\$298
3671	BOPHA MALONE FOR CONGRESS	BOPHA MALONE	C00661413	JOSH ASLANIAN	04/01/2019	Not Filed*	\$3,563	0	04/05/2019	\$341	\$341	04/24/2019	\$341
3676	COMMITTEE TO ELECT MAURO GARZA FOR US CONGRESS	MAURO EVERETT GARZA	C00663435	ELIZABETH IRIS CASTILLO	03/05/2019	Not Filed*	\$206	0	04/05/2019	\$206	\$206	05/07/2019	\$206
3684	FEMINIST MAJORITY PAC		C00377168	PEG YORKIN	02/13/2019	13	\$1,207	0	04/05/2019	\$113	\$113	04/23/2019	\$113
3693	INSPIRE BRANDS INC. POLITICAL ACTION COMMITTEE		C00492157	DANTON NOLAN	02/13/2019	13	\$594	0	04/05/2019	\$113	\$113	04/18/2019	\$113
3694	JASON NICHOLS FOR CONGRESS	JASON NICHOLS	C00660977	JASON NICHOLS	02/19/2019	19	\$1,536	0	04/05/2019	\$149	\$149	05/20/2019	\$149
3711	TEXANS FOR TEXAS		C00641571	DAVID TERRY	03/18/2019	Not Filed*	\$384	0	04/05/2019	\$341	\$341	05/15/2019	\$341
3713	THE UTE PAC		C00626671	SKYLER MASSY	03/07/2019	Not Filed*	\$145	0	04/05/2019	\$145	\$145	05/20/2019	\$145
3719	WE ARE GREAT AGAIN PAC		C00683813	CHRIS MARSTON	02/22/2019	22	\$139,980	0	04/05/2019	\$4,875	\$4,875	05/14/2019	\$4,875

\* The committee filed their report more than thirty (30) days after the report due date; therefore, per 11 C.F.R. 111.43(e), the report is considered to be not filed.

Federal Election Commission  
FD Circulation Report Fine Not Paid  
2018 YEAR-END Not Election Sensitive 01/31/2019 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3662	ALLISON FOR CONGRESS	ALLISON GALBRAITH	C00637462	TIMOTHY ROTHERMEL		Not Filed	\$0	0	04/05/2019	\$1,230	427	NONE
3663	AMERICA COMES FIRST PAC		C00623256	DAVID W. SCHAMENS		Not Filed	\$154,404 (est)	5	04/05/2019	\$17,986	427	\$17,986
3668	ARUNA MILLER FOR CONGRESS	ARUNA MILLER	C00639427	SUDHIR SEKHSARIA	05/10/2019	Not Filed*	\$3,893	0	04/05/2019	\$13,080	427	\$341
3669	BARIA FOR MISSISSIPPI	DAVID WAYNE BARIA	C00673459	WILL GODFREY	04/19/2019	Not Filed*	\$16,512	0	04/05/2019	\$9,446	427	\$684
3670	BILLY KOVACS FOR CONGRESS	WILLIAM RICHARD KOVACS	C00636175	BILLY KOVACS		Not Filed	\$20,606 (est)	0	04/05/2019	\$684	427	\$684
3672	CARRIGAN FOR CONGRESS	SEAN J. CARRIGAN	C00652321	KADENIA JAVIS	04/11/2019	Not Filed*	\$13,085	0	04/05/2019	\$3,925	427	\$684
3673	COMMITTEE TO ELECT ENOCH	VANESSA L. ENOCH	C00667279	CATHERINE JOHNSON	11/10/2019	Not Filed*	\$272	0	04/05/2019	\$684	427	\$272
3674	COMMITTEE TO ELECT HP	HAMID PARVIZIAN	C00663104	DOUNIA METOURI		Not Filed	\$106,911 (est)	0	04/05/2019	\$6,541	427	\$6,541
3679	DALE KERNS FOR OFFICE	DALE RONALD KERNS JR.	C00634865	JOSEPH P. SOLOSKI		Not Filed	\$50,439 (est)	0	04/05/2019	\$3,925	427	\$3,925
3680	DEAGLAN MCEACHERN FOR CONGRESS	DEAGLAN MCEACHERN	C00665364	LORI TIERNAN	06/06/2019	Not Filed*	\$11,754	0	04/05/2019	\$6,541	427	\$684
3681	DOROTHY GASQUE FOR CONGRESS	DOROTHY GASQUE	C00630798	MEGAN JONES		Not Filed	\$19,152 (est)	0	04/05/2019	\$684	427	\$684
3682	ERIC FOR US	ERIC HOLGUIN	C00641340	ELIZABETH PEREZ	03/18/2019	Not Filed*	\$1,753	0	04/05/2019	\$341	427	\$341
3683	ETHAN PHAM FOR CONGRESS	ETHAN PHAM	C00650929	JENNY NGUYEN		Not Filed	\$0	0	04/05/2019	\$7,994	427	NONE
3685	FINANCE COMMITTEE FOR DOUGLAS HOWARD PIERCE	DOUGLAS HOWARD PIERCE	C00610022	DOUGLAS HOWARD PIERCE		Not Filed	\$0	0	04/05/2019	\$1,230	427	NONE
3686	FRIENDS OF DANNER KLINE	DANNER KLINE	C00638536	WILLIAM DAVIS		Not Filed	\$0	0	04/05/2019	\$3,925	427	NONE
3688	FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS	EDWIN SANTANA JR.	C00630434	TRACY LEE SANTANA	04/15/2019	Not Filed*	\$89	0	04/05/2019	\$684	427	\$89
3689	FULTON FINANCIAL CORPORATION PAC		C00400317	MICHAEL J. DEPORTER	04/12/2019	Not Filed*	\$3,958	0	04/05/2019	\$1,230	427	\$341
3691	GREG PILKINGTON FOR CONGRESS	JAMES GREGORY PILKINGTON	C00634048	PHYLLIS WHITNEY		Not Filed	\$21,331 (est)	0	04/05/2019	\$684	427	\$684
3692	HART 2020	HART P. CUNNINGHAM	C00664086	HART C. CUNNINGHAM		Not Filed	\$0	0	04/05/2019	\$9,446	427	NONE
3695	JONATHAN JENKINS FOR SENATE COMMITTEE	JONATHAN JENKINS	C00677872	OFFICE OF TREASURER		Not Filed	\$1,049,103 (est)	0	04/05/2019	\$17,440	427	\$17,440
3696	LAKE FOR CONGRESS	JEANNINE LEE LAKE	C00678557	JESSE NAHSHON PRATER		Not Filed	\$1,782	0	04/05/2019	\$1,230	427	\$341
3697	LIBERTY T		C00622910	SAMUEL B. CASEY	05/30/2019	Not Filed*	\$0	0	04/05/2019	\$684	427	NONE
3698	MALARSIE HOUSE RUN 2018	MARY MALARSIE	C00665372	TERRY BLEVINS		Not Filed	\$0	0	04/05/2019	\$1,230	427	NONE
3699	MARTY GEARHEART FOR CONGRESS	MARTY GEARHEART	C00664516	NISHANT GROVER		Not Filed	\$60,887 (est)	0	04/05/2019	\$3,925	427	\$3,925
3700	NEW NATION RISING		C00634964	OLUFEMI OGUNNAIKE		Not Filed	\$252,158 (est)	0	04/05/2019	\$11,627	427	\$11,627
3701	PEOPLE FOR CORBIN-JOHNSON	SHAVONNIA CORBIN-JOHNSON	C00657189	JOSEPH BACHMAN	04/30/2019	Not Filed*	\$0	0	04/05/2019	\$5,086	427	NONE
3702	PLUMBERS AND PIPEFITTERS LOCAL UNION 74		C00192849	MICHAEL B. HACKENDORN	04/08/2019	Not Filed*	\$7,150	2	04/05/2019	\$1,845	427	\$615
3703	REUBEN FOR CONGRESS	REUBEN D'SILVA	C00647560	BREON KING		Not Filed	\$39,226 (est)	0	04/05/2019	\$1,230	427	\$1,230
3704	ROEL GARCIA FOR CONGRESS	ROEL GARCIA	C00661256	ROCIO GARCIA	07/10/2019	Not Filed*	\$0	0	04/05/2019	\$1,230	427	NONE
3705	ROZA CALDERON FOR CONGRESS 2018	ROZA I. CALDERON	C00640755	MICHAEL WILIAMS		Not Filed	\$32,375 (est)	1	04/05/2019	\$1,537	427	\$1,537
3706	RURAL PROGRESS		C00671040	NATHANIEL IRVIN		Not Filed	\$36,791 (est)	0	04/05/2019	\$1,230	427	\$1,230
3708	SARAH SMITH 2018	SARAH SMITH	C00640151	ANDY LO		Not Filed	\$26,475 (est)	0	04/05/2019	\$1,230	427	\$1,230

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3709	SHAYANI FOR CONGRESS 2018	PAYAM MARK SHAYANI	C00659326	SHAROKIN VARDEH-DARIUSH		Not Filed	\$0	0	04/05/2019	\$3,925	427	NONE
3710	SOLOMON FOR CONGRESS	ROBERT SOLOMON	C00649947	ROBERT CHARLES SOLOMON		Not Filed	\$0	0	04/05/2019	\$6,541	427	NONE
3712	THE SEASONAL EMPLOYER PAC		C00626564	ELIZABETH WHITLEY	02/08/2019	8	\$5,136	0	04/05/2019	\$116	427	\$116
3714	THOMAS FOR FIRST	THOMAS RUDBECK	C00674978	THOMAS RUDBECK	11/14/2019	Not Filed*	\$204	0	04/05/2019	\$6,541	427	\$204
3715	TIM AALDERS FOR US SENATE	TIMOTHY NOEL AALDERS	C00678300	TIM AALDERS	04/11/2019	Not Filed*	\$0	0	04/05/2019	\$3,925	427	NONE
3716	TIM RICH FOR CONGRESS	TIMOTHY A. RICH	C00649368	TIMOTHY A. RICH		Not Filed	\$45,538 (est)	0	04/05/2019	\$1,230	427	\$1,230
3717	TO ELECT JENNY MARSHALL	JENNIFER MARSHALL	C00629881	JENNIFER MARSHALL		Not Filed	\$37,075 (est)	0	04/05/2019	\$1,230	427	\$1,230

\* The committee filed their report more than thirty (30) days after the report due date; therefore, per 11 C.F.R. 111.43(e), the report is considered to be not filed.

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Withdrawal and Resubmission of Final	)	
Determination Recommendation - 2018	)	
Year-End Report for the Administrative	)	
Fine Program:	)	
ALLISON FOR CONGRESS, and	)	AF# 3662
ROTHERMEL, TIMOTHY as treasurer;	)	
AMERICA COMES FIRST PAC, and	)	AF# 3663
SCHAMENS, DAVID W MR. as treasurer;	)	
ANDREW TAKAMI FOR US SENATE,	)	AF# 3666
and TAKAMI, ANDREW as treasurer;	)	
ARUNA MILLER FOR CONGRESS, and	)	AF# 3668
SEKHSARIA, SUDHIR MD as treasurer;	)	
BARIA FOR MISSISSIPPI, and	)	AF# 3669
GODFREY, WILL as treasurer;	)	
BILLY KOVACS FOR CONGRESS, and	)	AF# 3670
KOVACS, BILLY as treasurer;	)	
BOPHA MALONE FOR CONGRESS, and	)	AF# 3671
ASLANIAN, JOSH MR. as treasurer;	)	
CARRIGAN FOR CONGRESS, and	)	AF# 3672
JAVIS, KADENIA as treasurer;	)	
COMMITTEE TO ELECT ENOCH, and	)	AF# 3673
JOHNSON, CATHERINE as treasurer;	)	
COMMITTEE TO ELECT HP, and	)	AF# 3674
METOURI, DOUNIA as treasurer;	)	
DALE KERNS FOR OFFICE, and JOSEPH	)	AF# 3679
P SOLOSKI as treasurer;	)	
DEAGLAN MCEACHERN FOR	)	AF# 3680
CONGRESS, and TIERNAN, LORI as	)	
treasurer;	)	
DOROTHY GASQUE FOR CONGRESS,	)	AF# 3681
and JONES, MEGAN as treasurer;	)	
ERIC FOR US, and PEREZ, ELIZABETH	)	AF# 3682
as treasurer;	)	
ETHAN PHAM FOR CONGRESS, and	)	AF# 3683
NGUYEN, JENNY as treasurer;	)	

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FEMINIST MAJORITY PAC, and PEG YORKIN as treasurer;	AF# 3684
FINANCE COMMITTEE FOR DOUGLAS HOWARD PIERCE, and DOUGLAS HOWARD PIERCE as treasurer;	) AF# 3685
FRIENDS OF DANNER KLINE, and DAVIS, WILLIAM as treasurer;	) AF# 3686
FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS, and SANTANA, TRACY LEE as treasurer;	) AF# 3688
FULTON FINANCIAL CORPORATION PAC, and MICHAEL J DEPORTER as treasurer;	) AF# 3689
GREG PILKINGTON FOR CONGRESS, and WHITNEY, PHYLLIS as treasurer;	) AF# 3691
HART 2020, and CUNNINGHAM, HART C. as treasurer;	) AF# 3692
INSPIRE BRANDS INC. POLITICAL ACTION COMMITTEE, and NOLAN, DANTON as treasurer;	) AF# 3693
JASON NICHOLS FOR CONGRESS, and NICHOLS, JASON as treasurer;	) AF# 3694
LAKE FOR CONGRESS, and PRATER, NAHSHON JESSE MR. as treasurer;	) AF# 3696
LIBERTY T, and CASEY, SAMUEL B as treasurer;	) AF# 3697
MALARSIE HOUSE RUN 2018, and BLEVINS, TERRY as treasurer;	) AF# 3698
MARTY GEARHEART FOR CONGRESS, and GROVER, NISHANT as treasurer;	) AF# 3699
NEW NATION RISING, and OGUNNAIKE, OLUFEMI as treasurer;	) AF# 3700
PEOPLE FOR CORBIN-JOHNSON, and BACHMAN, JOSEPH as treasurer;	) AF# 3701
PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and HACKENDORN, MICHAEL B as treasurer;	) AF# 3702
REUBEN FOR CONGRESS, and KING, BREON as treasurer;	) AF# 3703
ROEL GARCIA FOR CONGRESS, and GARCIA, ROCIO as treasurer;	) AF# 3704

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ROZA CALDERON FOR CONGRESS	)	AF# 3705
2018, and WILIAMS, MICHAEL as	)	
treasurer;	)	
RURAL PROGRESS, and IRVIN,	)	AF# 3706
NATHANIEL as treasurer;	)	
SARAH SMITH 2018, and LO, ANDY as	)	AF# 3708
treasurer;	)	
SHAYANI FOR CONGRESS 2018, and	)	AF# 3709
VARDEH-DARIUSH, SHAROKIN as	)	
treasurer;	)	
SOLOMON FOR CONGRESS, and	)	AF# 3710
SOLOMON, ROBERT CHARLES DR. as	)	
treasurer;	)	
TEXANS FOR TEXAS, and TERRY,	)	AF# 3711
DAVID as treasurer;	)	
THE SEASONAL EMPLOYER PAC, and	)	AF# 3712
ELIZABETH WHITLEY as treasurer;	)	
UTEPAC, and MASSY, SKYLER MR as	)	AF# 3713
treasurer;	)	
THOMAS FOR FIRST, and RUDBECK,	)	AF# 3714
THOMAS as treasurer;	)	
TIM AALDERS FOR US SENATE, and	)	AF# 3715
AALDERS, TIM as treasurer;	)	
TIM RICH FOR CONGRESS, and RICH,	)	AF# 3716
TIMOTHY A as treasurer;	)	
TO ELECT JENNY MARSHALL, and	)	AF# 3717
MARSHALL, JENNIFER as treasurer;	)	
WE ARE GREAT AGAIN PAC, and	)	AF# 3719
MARSTON, CHRIS as treasurer;	)	

AMENDED 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 - 2018 Year-End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated June 05, 2020 and subject to the Notice of Errata Memorandum dated June 19, 2020, on the following committees:

AF#3662 Decided by a vote of 4-0 to: (1) make a final determination that ALLISON FOR CONGRESS, and ROTHERMEL, TIMOTHY in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3663 Decided by a vote of 4-0 to: (1) make a final determination that AMERICA COMES FIRST PAC, and SCHAMENS, DAVID W 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#3666 Decided by a vote of 4-0 to: (1) make a final determination that ANDREW TAKAMI FOR US SENATE, and TAKAMI, ANDREW 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#3668 Decided by a vote of 4-0 to: (1) make a final determination that ARUNA MILLER FOR CONGRESS, and SEKHSARIA, SUDHIR MD 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.

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AF#3669 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#3670 Decided by a vote of 4-0 to: (1) make a final determination that BILLY KOVACS FOR CONGRESS, and KOVACS, BILLY 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#3671 Decided by a vote of 4-0 to: (1) make a final determination that BOPHA MALONE FOR CONGRESS, and ASLANIAN, JOSH 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#3672 Decided by a vote of 4-0 to: (1) make a final determination that CARRIGAN FOR CONGRESS, and JAVIS, KADENIA 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#3673 Decided by a vote of 4-0 to: (1) make a final determination that COMMITTEE TO ELECT ENOCH, and JOHNSON, CATHERINE 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#3674 Decided by a vote of 4-0 to: (1) make a final determination that COMMITTEE TO ELECT HP, and METOURI, DOUNIA 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#3679 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.

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AF#3680 Decided by a vote of 4-0 to: (1) make a final determination that DEAGLAN MCEACHERN FOR CONGRESS, and TIERNAN, LORI 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#3681 Decided by a vote of 4-0 to: (1) make a final determination that DOROTHY GASQUE FOR CONGRESS, and JONES, MEGAN 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#3682 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#3683 Decided by a vote of 4-0 to: (1) make a final determination that ETHAN PHAM FOR CONGRESS, and NGUYEN, JENNY in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3684 Decided by a vote of 4-0 to: (1) make a final determination that FEMINIST MAJORITY PAC, and PEG YORKIN 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#3685 Decided by a vote of 4-0 to: (1) make a final determination that FINANCE COMMITTEE FOR DOUGLAS HOWARD PIERCE, and DOUGLAS HOWARD PIERCE in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3686 Decided by a vote of 4-0 to: (1) make a final determination that FRIENDS OF DANNER KLINE, and DAVIS, WILLIAM in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

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AF#3688 Decided by a vote of 4-0 to: (1) make a final determination that FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS, and SANTANA, TRACY LEE 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#3689 Decided by a vote of 4-0 to: (1) make a final determination that FULTON FINANCIAL CORPORATION PAC, and MICHAEL J DEPORTER 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#3691 Decided by a vote of 4-0 to: (1) make a final determination that GREG PILKINGTON FOR CONGRESS, and WHITNEY, PHYLLIS 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#3692 Decided by a vote of 4-0 to: (1) make a final determination that HART 2020, and CUNNINGHAM, HART C. in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3693 Decided by a vote of 4-0 to: (1) make a final determination that INSPIRE BRANDS INC. POLITICAL ACTION COMMITTEE, and NOLAN, DANTON 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#3694 Decided by a vote of 4-0 to: (1) make a final determination that JASON NICHOLS FOR CONGRESS, and NICHOLS, JASON 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#3696 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.

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AF#3697 Decided by a vote of 4-0 to: (1) make a final determination that LIBERTY T, and CASEY, SAMUEL B in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3698 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 will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3699 Decided by a vote of 4-0 to: (1) make a final determination that MARTY GEARHEART FOR CONGRESS, and GROVER, NISHANT 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#3700 Decided by a vote of 4-0 to: (1) make a final determination that NEW NATION RISING, and OGUNNAIKE, OLUFEMI 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#3701 Decided by a vote of 4-0 to: (1) make a final determination that PEOPLE FOR CORBIN-JOHNSON, and BACHMAN, JOSEPH in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3702 Decided by a vote of 4-0 to: (1) make a final determination that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and HACKENDORN, MICHAEL B 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#3703 Decided by a vote of 4-0 to: (1) make a final determination that REUBEN FOR CONGRESS, and KING, BREON 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.

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AF#3704 Decided by a vote of 4-0 to: (1) make a final determination that ROEL GARCIA FOR CONGRESS, and GARCIA, ROCIO in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3705 Decided by a vote of 4-0 to: (1) make a final determination that ROZA CALDERON FOR CONGRESS 2018, and WILIAMS, MICHAEL 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#3706 Decided by a vote of 4-0 to: (1) make a final determination that RURAL PROGRESS, and IRVIN, NATHANIEL 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#3708 Decided by a vote of 4-0 to: (1) make a final determination that SARAH SMITH 2018, and LO, ANDY 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#3709 Decided by a vote of 4-0 to: (1) make a final determination that SHAYANI FOR CONGRESS 2018, and VARDEH-DARIUSH, SHAROKIN in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3710 Decided by a vote of 4-0 to: (1) make a final determination that SOLOMON FOR CONGRESS, and SOLOMON, ROBERT CHARLES DR. in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3711 Decided by a vote of 4-0 to: (1) make a final determination that TEXANS FOR TEXAS, and TERRY, DAVID 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.

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AF#3712 Decided by a vote of 4-0 to: (1) make a final determination that THE SEASONAL EMPLOYER PAC, and ELIZABETH WHITLEY 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#3713 Decided by a vote of 4-0 to: (1) make a final determination that UTEPAC, and MASSY, SKYLER 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#3714 Decided by a vote of 4-0 to: (1) make a final determination that THOMAS FOR FIRST, and RUDBECK, THOMAS 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#3715 Decided by a vote of 4-0 to: (1) make a final determination that TIM AALDERS FOR US SENATE, and AALDERS, TIM in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3716 Decided by a vote of 4-0 to: (1) make a final determination that TIM RICH FOR CONGRESS, and RICH, TIMOTHY A 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#3717 Decided by a vote of 4-0 to: (1) make a final determination that TO ELECT JENNY MARSHALL, and MARSHALL, JENNIFER 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#3719 Decided by a vote of 4-0 to: (1) make a final determination that WE ARE GREAT AGAIN PAC, and MARSTON, CHRIS 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.

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July 26, 2020  
Date

Attest:

**Laura  
Sinram**

Digitally signed by  
Laura Sinram  
Date: 2020.07.26  
22:29:27 -04'00'

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Laura E. Sinram  
Acting Secretary and Clerk of the  
Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

July 29, 2020

Nishant Grover, in official capacity as Treasurer  
Marty Gearheart for Congress  
P.O. Box 124  
Bluefield, WV 24701

C00664516  
AF#: 3699

Dear Mr. Grover,

On April 5, 2019, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Marty Gearheart for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the Year-End Report. By letter dated April 8, 2019, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be \$3,925 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you, as treasurer, were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty. You must also file the Year-End Report if you have not already done so.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. The FEC made a final determination on June 29, 2020 that Marty Gearheart for Congress 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 \$3,925 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: \$60,887  
Number of Days Late: Not Filed  
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

MARTY GEARHEART FOR CONGRESS

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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 thirty (30) days of receipt of this letter.

## **NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

### **4. Partial Payments**

MARTY GEARHEART FOR CONGRESS

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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

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#### **ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$3,925 for the Year-End Report. The payment is due within 30 days of receipt of this letter.

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

MARTY GEARHEART FOR CONGRESS

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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: Marty Gearheart for Congress

FEC ID#: C00664516

AF#: 3699

PAYMENT AMOUNT DUE: \$3,925

THIS IS THE END OF ADMINISTRATIVE FINE CASE #3699