



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 7, 2021

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  
*KDR BH*

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

SUBJECT: Withdrawal and Resubmission of Reason To Believe Recommendation –  
2020 October Quarterly Report (Non-Election Sensitive) for the  
Administrative Fine Program

We are withdrawing the document circulated to the Commission on December 11, 2020 in order to reflect updates disclosed in filings received by the Commission after the initial submission of this recommendation. An overview of these updates has been provided below.

Attached is a list of political committees and their treasurers who failed to file the 2020 October Quarterly Report (Non-Election Sensitive) in accordance with 52 U.S.C. § 30104(a). The October Quarterly Report was due on October 15, 2020.

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

### **Recommendation**

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

Federal Election Commission  
Reason to Believe Circulation Report  
2020 OCTOBER QUARTERLY Not Election Sensitive 10/15/2020 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3955	C00708941	ANDOM FOR CONGRESS	ANDOM A. GHEBREGHIORGIS	ANDOM A. GHEBREGHIORGIS	\$337,824	0		Not Filed	\$67,565 (est)	\$3,994

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Withdrawal and Resubmission of Reason )  
To Believe Recommendation - 2020 )  
October Quarterly Report (Non-Election )  
Sensitive) for the Administrative Fine )  
Program: )  
ANDOM FOR CONGRESS, and ) AF# 3955  
GHEBREGHIORGIS, ANDOM A. as )  
treasurer: )

Federal Election Commission  
Certification for Administrative Fines  
January 08, 2021

Federal Election Commission  
Certification for Administrative Fines  
January 08, 2021

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on January 08, 2021, the Commission took the following actions on the Withdrawal and Resubmission of Reason To Believe Recommendation - 2020 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated January 07, 2021, on the following committees:

AF#3955      Decided by a vote of 6-0 to: (1) find reason to believe that ANDOM FOR CONGRESS, and GHEBREGHIORGIS, ANDOM 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission  
Certification for Administrative Fines  
January 08, 2021

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January 08, 2021

Federal Election Commission  
Certification for Administrative Fines  
January 08, 2021



Attest:

**Laura  
Sinram**

Digitally signed by  
Laura Sinram  
Date: 2021.02.03  
18:51:31 -05'00'

Laura E. Sinram  
Acting Secretary and Clerk of the  
Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

February 8, 2021

Andom A. Ghebreghiorgis, in official capacity as Treasurer  
Andom for Congress  
65 Fleetwood Avenue  
P.O. Box 400  
Mount Vernon, NY 10552

C00708941  
AF#: 3955

Dear Mr. Ghebreghiorgis,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period July 1, 2020 through September 30, 2020, shall be filed no later than October 15, 2020. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that this report was not filed 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 January 8, 2021, the FEC found that there is reason to believe ("RTB") that Andom 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 October 15, 2020. 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 \$3,994. 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 \$3,994 is due within forty (40) days of the finding, or by February 17, 2021, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$67,565  
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:

ANDOM FOR CONGRESS

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### **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. 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 February 17, 2021. 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).

Please note, on June 18, 2020, the Federal Election Commission began the initial phase (Phase I) of its return to normal operations. At this stage, the agency's offices will remain closed to visitors and most of its employees will continue to telework in an effort to limit the spread of coronavirus (COVID-19). The Commission is processing some documents submitted by mail, though processing will not occur daily until the agency resumes normal mail operations. Nevertheless, a challenge to an RTB finding and/or calculated civil money penalty must be received on time. Thus, all written responses and supporting documentation should be converted to PDF (Portable Document Format) and must be emailed to [administrativefines@fec.gov](mailto:administrativefines@fec.gov). The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted challenges will be deemed received on the date it is electronically received by staff.

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). 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

ANDOM FOR CONGRESS

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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 Andom 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

ANDOM FOR CONGRESS

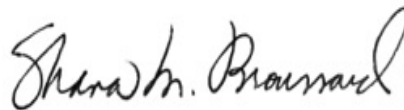
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correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be 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 Jamie Sikorsky 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,



Shana M. Broussard  
Chair

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ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$3,994 for the October Quarterly 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. Please use the details below to complete the required

ANDOM FOR CONGRESS

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fields. For additional payment options, please contact Jamie Sikorsky in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

COMMITTEE NAME: Andom for Congress

FEC ID#: C00708941

AF#: 3955

PAYMENT DUE DATE: February 17, 2021

PAYMENT AMOUNT DUE: \$3,994

February 17, 2021

FEC Office of Administrative Review

C00708941

AF#: 3955

**Declaration Letter for FEC Office of Administrative Review**

The Andom for Congress campaign was suspended on June 1, 2020. I, Andom Ghebreghiorgis, acting as treasurer for Andom for Congress, was disputing unauthorized charges by vendors with the campaign's bank in advance of closing the campaign committee. As a result, the October Quarterly Report of Receipts and Disbursements was never submitted.

After communicating with Jamie Sikorsky on February 16, 2021, I submitted the October Quarterly Report on February 17, and it showed a level of activity of \$2,044.78. I am thus challenging the civil money penalty due to a miscalculation of the campaign's level of activity.

Sincerely,

*Andom Ghebreghiorgis*

Andom for Congress



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 15, 2021

## **REVIEWING OFFICER RECOMMENDATION OFFICE OF ADMINISTRATIVE REVIEW (“OAR”)**

AF# 3955 – Andom for Congress and Andom A. Ghebreghiorgis, in his official capacity as Treasurer (C00708941)

### **Summary of Recommendation**

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$347 civil money penalty.

### **Reason-to-Believe Background**

The 2020 October Quarterly Report was due on October 15, 2020. The respondents filed the report on February 17, 2021, 125 days late. The report is not election sensitive and was not filed within 30 days of the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On January 8, 2021, the Commission found RTB that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2020 October Quarterly Report and made a preliminary determination that the civil money penalty was \$3,994 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was sent to the respondents’ email address of record from the Reports Analysis Division (“RAD”) on February 8, 2021 to notify them of the Commission’s RTB finding and civil money penalty.

### **Legal Requirements**

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending September 30 no later than October 15. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

## Summary of Respondents' Challenge

On February 17, 2021, the Commission received the written response (“challenge”) from the Candidate. He explains that the 2020 October Quarterly Report was not timely filed because he was “disputing unauthorized charges by vendors with the campaign’s bank in advance of closing the campaign committee.” The Candidate indicates he has filed the report and requests that the Commission recalculate the penalty based on the level of activity of \$2,044.

## Analysis

The respondents acknowledge their failure to timely file the 2020 October Quarterly Report and request the Commission recalculate the civil penalty based on the actual level of activity of the report. At the time of the RTB finding, the Commission used an estimated level of activity (\$67,565) to calculate the penalty because the 2020 October Quarterly Report had not yet been filed. 11 C.F.R § 111.43(d)(2)(i). On February 17, 2021, the Committee filed the 2020 October Quarterly, 125 days late. The 2020 October Quarterly discloses \$0 in total receipts and \$2,044 in total disbursements during the reporting period. Therefore, the actual level of activity for the 2020 October Quarterly reporting period is \$2,044. 11 C.F.R § 111.43(d)(3). Using the schedule of penalties at 11 C.F.R § 111.43(a), a penalty of \$347 should be assessed.

The Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$347 civil money penalty.

## OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3955 involving Andom for Congress and Andom A. Ghebreghiorgis, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3955 that Andom for Congress and Andom A. Ghebreghiorgis, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$347 civil money penalty (reduced from the RTB civil money penalty of \$3,994); and
3. Send the appropriate letter.

## Attachments

Attachment 1 –  
Attachment 2 – Declaration from RAD  
Attachment 3 – Declaration from OAR

**DECLARATION OF KRISTIN D. ROSER**

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission (“Commission”). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Andom for Congress:
  - A) Non-Filer Letter, dated November 26, 2020, referencing the 2020 October Quarterly Report (sent via electronic mail to: andom@andomforny.com);
  - B) Reason-to-Believe Letter, dated February 8, 2021, referencing the 2020 October Quarterly Report (sent via electronic mail to: andom@andomforny.com).
4. I hereby certify that I have searched the Commission’s public records and find that Andom for Congress filed the 2020 October Quarterly Report with the Commission on February 17, 2021.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed on the 11<sup>th</sup> day of March, 2021.

*Kristin D. Roser*

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



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-7

November 26, 2020

GHEBREGHIORGIS, ANDOM A., TREASURER  
ANDOM FOR CONGRESS  
65 FLEETWOOD AVENUE PO BOX 400  
MOUNT VERNON, NY 10552

IDENTIFICATION NUMBER: C00708941

REFERENCE: OCTOBER QUARTERLY REPORT (7/1/2020 - 9/30/2020)

Dear Treasurer:

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

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note, on June 18, 2020, the Federal Election Commission began the initial phase (Phase I) of its return to normal operations. At this stage, the agency's offices will remain closed to visitors and most of its employees will continue to telework in an effort to limit the spread of coronavirus (COVID-19). The Commission is processing some documents submitted by mail, though processing will not occur on a daily basis until the agency resumes normal mail operations. Reports sent by registered mail, overnight delivery, or certified mail, are considered filed with the FEC as of the date of the postmark. Reports submitted by first-class mail will be considered filed when actually received by Commission staff, subject to delays resulting from the agency's limited mail processing. The Commission will not be able to receive, or process reports filed by courier service during Phase I. The FEC does not have statutory authority to extend filing deadlines, but it may choose not to pursue administrative fines against filers prevented from filing by reasonably unforeseen circumstances beyond their control. If you have already filed the report by express, certified or registered mail, please notify us immediately of the certified, registered or express tracking number and the date that the report was sent.

Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at [www.fec.gov](http://www.fec.gov).

ANDOM FOR CONGRESS

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The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report.

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

Sincerely,

A handwritten signature in black ink that reads "Debbie Chacona". The signature is written in a cursive, flowing style.

Deborah Chacona  
Assistant Staff Director  
Reports Analysis Division

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**DECLARATION OF RHIANNON MAGRUDER**

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission (“Commission”). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A principal campaign committee of a candidate shall file a report for the period ending September 30 no later than October 15. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time October 15, 2020 for the 2020 October Quarterly Report to be timely filed.
- 3) I hereby certify that I have searched the Commission’s public records and that the documents identified herein are the true and accurate copies of:
  - a) Cover, Summary, and Detailed Summary Pages of the 2020 October Quarterly Report filed by Andom for Congress. The report includes the coverage period of July 1, 2020 through September 30, 2020 and was electronically filed on February 17, 2021.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 15<sup>th</sup> day of April, 2021.

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission



**SUMMARY PAGE**  
of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

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Write or Type Committee Name  
Andom For Congress

Report Covering the Period: From:  /  /  To:  /  /

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
<b>6. Net Contributions (other than loans)</b>		
(a) Total Contributions (other than loans) (from Line 11(e))....	0.31	214728.14
(b) Total Contribution Refunds (from Line 20(d)) .....	0.00	0.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a)) .....	0.31	214728.14
<b>7. Net Operating Expenditures</b>		
(a) Total Operating Expenditures (from Line 17) .....	2044.47	125140.87
(b) Total Offsets to Operating Expenditures (from Line 14).....	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)) .....	2044.47	125140.87
<b>8. Cash on Hand at Close of Reporting Period (from Line 27).....</b>	89587.27	
<b>9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) .....</b>	0.00	
<b>10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) .....</b>	0.00	

**For further information contact:**

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

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

**DETAILED SUMMARY PAGE**  
of Receipts

FEC Form 3 (Revised 05/2016)

Write or Type Committee Name

Andom For Congress

Report Covering the Period: From:  /  /  To:  /  /

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A) .....	0.00	72581.00
(ii) Unitemized .....	0.31	141597.14
(iii) TOTAL of contributions from individuals .....	0.31	214178.14
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs) .....	0.00	500.00
(d) The Candidate .....	0.00	50.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))..	0.31	214728.14
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES .....		
	0.00	0.00
13. LOANS:		
(a) Made or Guaranteed by the Candidate .....	0.00	0.00
(b) All Other Loans .....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)) .....	0.00	0.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.) .....		
	0.00	0.00
15. OTHER RECEIPTS (Dividends, Interest, etc.) .....		
	0.00	0.00
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4) .....	0.31	214728.14

**DETAILED SUMMARY PAGE**  
of Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 4 / 6

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	2044.47	125140.87
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES .....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of All Other Loans .....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees .....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS .....	0.00	0.00
22. <b>TOTAL DISBURSEMENTS</b> (add Lines 17, 18, 19(c), 20(d), and 21) ▶	2044.47	125140.87

**III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	91631.43
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	0.31
25. SUBTOTAL (add Line 23 and Line 24).....	91631.74
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	2044.47
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	89587.27



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 16, 2021

Andom A. Ghebregiorgis, in his official capacity as treasurer  
Andom for Congress  
65 Fleetwood Avenue  
PO Box 400  
Mount Vernon, NY 10552

C00708941  
AF#: 3955

Dear Mr. Ghebregiorgis:

On January 8, 2021, the Federal Election Commission (“Commission”) found reason to believe (“RTB”) that Andom for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to timely file the 2020 October Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$2,044 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination and assess a reduced civil money penalty. A copy of the Reviewing Officer’s recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Please note, the agency's offices remain closed to visitors and most of its employees will continue to telework in an effort to limit the spread of coronavirus (COVID-19). The Commission is processing some documents submitted by mail, though processing will not occur on a daily basis until the agency resumes normal mail operations. Nevertheless, if you choose to submit a response to the recommendation, it must be received on time. Thus, all written responses and supporting documentation should be converted to PDF (Portable Document Format) and must be emailed to the Commission Secretary at [secretary@fec.gov](mailto:secretary@fec.gov). The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted responses will be deemed received on the date it is electronically received by staff. Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer’s recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1158 if you have any questions.

Sincerely,

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review

**RECEIVED**

By Office of the Commission Secretary at 11:11 am, May 25, 2021

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463**SENSITIVE**

May 25, 2021

**MEMORANDUM**

To: The Commission

Through: Alec Palmer  
Staff Director *AP*

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

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3955 – Andom for Congress and Andom A. Ghebreghiorgis, in his official capacity as Treasurer (C00708941)

On January 8, 2021, the Commission found RTB that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2020 October Quarterly Report and made a preliminary determination that the civil money penalty was \$3,994 based on the schedule of penalties at 11 C.F.R. § 111.43. On February 17, 2021, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated April 15, 2021 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$347 civil money penalty (reduced from the RTB civil money penalty of \$3,994).

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). The respondents have since indicated they will not be submitting a response to the ROR.

**OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 3955 involving Andom for Congress and Andom A. Ghebreghiorgis, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3955 that Andom for Congress and Andom A. Ghebreghiorgis, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$347 civil money penalty (reduced from the RTB civil money penalty of \$3,994); and
3. Send the appropriate letter.

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3955  
 Final Determination Recommendation: )  
 Andom for Congress and Andom A. )  
 Ghebreghiorgis, in his official capacity as )  
 Treasurer (C00708941) )

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 08, 2021, the Commission decided by a vote of 6-0 to take the following actions in AF 3955:

1. Adopt the Reviewing Officer recommendation for AF# 3955 involving Andom for Congress and Andom A. Ghebreghiorgis, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3955 that Andom for Congress and Andom A. Ghebreghiorgis, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$347 civil money penalty (reduced from the RTB civil money penalty of \$3,994).
3. Send the appropriate letter.

Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.



Attest:

**Laura  
Sinram**

Digitally signed by Laura Sinram  
Date: 2021.06.08 15:11:28 -04'00'

\_\_\_\_\_  
 Laura E. Sinram  
 Acting Secretary and Clerk of the  
 Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 11, 2021

Andom A. Ghebreghiorgis, in official capacity as Treasurer  
Andom for Congress  
65 Fleetwood Avenue  
PO Box 400  
Mount Vernon, NY 10552

C00708941  
AF# 3955

Dear Mr. Ghebreghiorgis:

On January 8, 2021, the Federal Election Commission (“the Commission”) found reason to believe (“RTB”) that Andom for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2020 October Quarterly Report. By letter dated February 8, 2021, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$3,994 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On February 17, 2021, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission’s RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated using an estimated level of activity, make a final determination that Andom for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and based on the actual level of activity disclosed on the 2020 October Quarterly Report filed February 17, 2021 (\$2,044), assess a civil money penalty in the amount of \$347 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on April 17, 2021.

On June 8, 2021, the Commission adopted the Reviewing Officer’s recommendation and made a final determination that Andom for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and based on the level of activity disclosed on the 2020 October Quarterly Report (\$2,044), assessed a civil money penalty in the amount of \$347 (reduced from the RTB civil money penalty of \$3,994). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the Final Determination Recommendation is attached.

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

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

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

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

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

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

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

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

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS****4. Partial Payments**

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

**5. Settlement Offers**

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

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

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

On behalf of the Commission,



Shana M. Broussard  
Chair

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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at final determination is \$347 for the 2020 October Quarterly 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. Please use the details below to complete the required fields. For additional payment options, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

COMMITTEE NAME: Andom for Congress

FEC ID#: C00708941

AF#: 3955

PAYMENT AMOUNT DUE: \$347