



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

March 17, 2021

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *DC* for 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: Reason To Believe Recommendation - 2020 30 Day Post-General Report  
(Unauthorized Filers) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2020 30 Day Post-General Report in accordance with 52 U.S.C. § 30104(a). The list is comprised of unauthorized committees that failed to file or timely file the 2020 30 Day Post-General Report.

The committees appearing on the 30 Day Post-General Report list either failed to file the report, filed the report after the due date but within thirty (30) days of the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with 11 C.F.R. § 111.43, these committees should be assessed the civil money penalties indicated in the attachment.

In order to determine the level of activity for unauthorized quarterly filers that failed to file or failed to timely file the 30 Day Post-General Report, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 30 Day Post-General Report (30 Day Report) submitted by an unauthorized quarterly filer that covered the period from October 1, 2020 through November 23, 2020 (54 days), was reviewed for activity which would have required the filing of a 12 Day Pre-General Report (12 Day Report). If our research indicated that the filing of a 12 Day Report was required, we utilized a two-step method to arrive at the estimated level of activity on which to base the fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 12G. Second, if the committee had any unitemized activity, a per diem level of activity was used by multiplying the total amount of activity on the report by 25.93% (14 days (12G Filing Period)/54 days (30G Filing Period)).
- The committees identified through this process as failing to file or failing to timely file the 12 Day Report were included in the Reason to Believe Recommendation circulated to the Commission on March 4, 2021. If the same committee also failed to file the 30 Day Report in a timely manner, we based the 30 Day Report fine on the amount of the remaining level of activity. We arrived at this amount by subtracting the estimated level of activity for the 12 Day Report from the total amount of activity on the 30 Day Report. In these cases, the committees will also be assessed a fine for the 30 Day Report based on the estimated levels of activity described above and are included on the attached list.
- Every Year-End Report (YE) submitted by an unauthorized quarterly filer that covered the period from October 1, 2020 through December 31, 2020 (92 days) was reviewed for activity which would have required the filing of a 30G. If our research indicated that a 30G was required, we utilized a three-step method to arrive at the activity on which to base the 30G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 30G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 58.70% (54 days (30G Filing Period)/92 days (YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 30G. If the same committee was required to file the 12 Day Report, but failed to file this report, we utilized a three-step method to arrive at the activity on which to base the 30G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 30G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 43.48% (40 days (30G Filing Period)/92 days (YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 30G.

## **Recommendation**

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

**Federal Election Commission**  
**Reason to Believe Circulation Report**  
**2020 POST-GENERAL Not Election Sensitive 12/03/2020 UNAUTH**

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4066	C00747592	43 ALUMNI FOR AMERICA	KAREN KIRKSEY	\$121,089	0		Not Filed	\$40,363 (est)	\$1,267
4067	C00705384	AMERICA GREAT PAC	JASON PALLANTE	\$570,690	0	12/28/2020	25	\$300,669	\$9,695
4068	C00737296	AMERICAN DIGNITY PAC	JAMES DIRK SCHWENK	\$143,051	0	12/21/2020	18	\$15,298	\$259
4069	C00687657	AMERICAN PRO-ISRAEL PAC	JEANNE SULLIVAN	\$137,162	3		Not Filed	\$137,162 (est)	\$11,786
4070	C00438358	AMSTED INDUSTRIES INCORPORATED PAC	TRISTAN PAIGE LOPEZ	\$223,804	1		Not Filed	\$44,761 (est)	\$1,583
4071	C00696211	BATTLE FOR AMERICA PAC	WINSTON WOLFE	\$139,752	0	12/28/2020	25	\$14,556	\$301
4072	C00727065	BRONX UNITED	RUSH PEREZ	\$111,675	0		Not Filed	\$37,225 (est)	\$1,267
4073	C00386300	CALUMET PAC	TERRY BRONOWSKI	\$158,300	0	1/31/2021	*Not Filed	\$200	\$200
4074	C00697862	CAMPAIGN TO SUPPORT THE PRESIDENT	MATT TUNSTALL	\$368,361	1	12/16/2020	13	\$1,185	\$142
4075	C00743146	COMMITTEE TO ELECT ROBERT J. LOVERO	MICHAEL W. FELLOWS	\$400,661	0	2/10/2021	*Not Filed	\$39,241	\$1,267
4076	C00409458	CONSERVATIVE OPPORTUNITIES FOR A NEW AMERICA PAC	WILLIAM BAIN	\$249,461	1	1/13/2021	*Not Filed	\$1,079	\$438
4077	C00176420	DEMOCRATIC FOUNDATION OF ORANGE COUNTY	GLEN HATTON	\$171,273	0	1/31/2021	*Not Filed	\$12,156	\$704
4078	C00034066	DISTRICT 1199C NAT'L UNION OF HOSPITAL & HEALTH CARE EMPLOYEES POLITICAL ACTION FUND	SALIMA PACE	\$147,309	0	12/10/2020	7	\$37,542	\$494
4079	C00146605	FARMERS' RICE COOPERATIVE FUND	BILL TANIMOTO	\$217,946	2	12/11/2020	8	\$5,000	\$177
4080	C00749861	FUTURE GENERATIONS	JEANNE E. LEGAULT	\$107,804	0	1/1/2021	29	\$75,250	\$4,977
4081	C00721886	HOMETOWN VALUES PAC	FRANCIS XAVIER HELGESEN	\$133,757	0	1/31/2021	*Not Filed	\$337	\$337
4082	C00743377	LV STRONG	CHRISTOPHER NICHOLAS	\$100,325	0		Not Filed	\$50,163 (est)	\$4,041
4083	C00221507	MASSACHUSETTS BANKERS PAC-FEDERAL FUND	KEVIN F. KILEY	\$117,392	0	12/9/2020	6	\$10,912	\$187
4084	C00309468	MSCPAC	STEVE MARKOSKY	\$144,619	0	1/25/2021	*Not Filed	\$14,341	\$704
4085	C00297739	NATURAL PRODUCTS ASSOCIATION POLITICAL ACTION COMMITTEE	DAN FABRICANT	\$190,280	0	12/14/2020	11	\$3,049	\$102

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4086	C00556605	NEVADA COUNTY REPUBLICAN PARTY	FRANCES J. FREEDLE	\$122,609	0	1/13/2021	*Not Filed	\$9,694	\$422
4087	C00710764	NIAC ACTION PAC	JAMAL ABDI	\$278,363	0	1/31/2021	*Not Filed	\$146,591	\$6,735
4088	C00167213	OKLAHOMA LEADERSHIP COUNCIL	MICHAEL G. MCCUTCHIN	\$2,023,214	2	12/22/2020	19	\$427,285	\$12,984
4089	C00631192	ONLY IF YOU RUN	REBECCA BERWICK	\$182,480	0	1/28/2021	*Not Filed	\$9,943	\$422
4090	C00699090	PEOPLE POWERED ACTION	GWENDOLYN PULIDO	\$37,177,867	0	12/20/2020	17	\$201,554	\$5,933
4091	C00726224	PEOPLE4AMERICA FEDERAL COMMITTEE	BRIAN HERMAN	\$490,788	0	2/3/2021	*Not Filed	\$146,733	\$6,735
4092	C00684555	REGULAR PEOPLE	PAUL BLUM	\$342,347	0	12/21/2020	18	\$245,227	\$6,194
4093	C00746594	SALVEMOS A PUERTO RICO	JOSEPH FUENTES	\$395,107	0		Not Filed	\$197,554 (est)	\$8,231
4094	C00406645	TARRANT COUNTY REPUBLICAN VICTORY FUND	SHANNON DUBBERLY	\$617,720	4	1/20/2021	*Not Filed	\$71,251	\$8,082
4095	C00725994	TFY PAC	OLUBUSOLA OBAYAN	\$135,572	1	12/17/2020	14	\$10,544	\$293
4096	C00571976	THE PETER NORBECK LEADERSHIP PAC	BOB GRAY	\$781,889	0	2/1/2021	*Not Filed	\$124,771	\$6,735
4097	C00522458	TOGETHER WE THRIVE	CHRISTOPHER ZULLO	\$417,802	0		Not Filed	\$104,451 (est)	\$6,735
4098	C00656942	UNITED AMERICAN VETERANS PAC	BRYAN JAMES MONVILLE	\$410,857	0	1/16/2021	*Not Filed	\$35,829	\$1,267
4099	C00723148	VISUAL DISOBEDIENCE CAMPAIGN COMMITTEE	PHILIP L. SHEMANSKI	\$193,080	0	12/18/2020	15	\$15,560	\$241
4100	C00667592	WASHOE COUNTY REPUBLICAN CENTRAL COMMITTEE	PATRICIA MILLER	\$189,388	0	1/15/2021	*Not Filed	\$85,221	\$5,237
4101	C00616912	WOMEN VOTE SMART	AMY S. KREMER	\$291,231	1		Not Filed	\$145,616 (est)	\$8,418

\* 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 - 2020	)
30 Day Post-General Report (Unauthorized	)
Filers) for the Administrative Fine Program:	)
43 ALUMNI FOR AMERICA, and	) AF# 4066
KIRKSEY, KAREN as treasurer;	)
AMERICA GREAT PAC, and JASON	) AF# 4067
PALLANTE as treasurer;	)
AMERICAN DIGNITY PAC, and	) AF# 4068
SCHWENK, JAMES DIRK as treasurer;	)
AMERICAN PRO-ISRAEL PAC, and	) AF# 4069
SULLIVAN, JEANNE as treasurer;	)
AMSTED INDUSTRIES	) AF# 4070
INCORPORATED PAC, and LOPEZ,	)
TRISTAN PAIGE as treasurer;	)
BATTLE FOR AMERICA PAC, and	) AF# 4071
WOLFE, WINSTON as treasurer;	)
BRONX UNITED, and PEREZ, RUSH as	) AF# 4072
treasurer;	)
CALUMET PAC, and BRONOWSKI,	) AF# 4073
TERRY as treasurer;	)
CAMPAIGN TO SUPPORT THE	) AF# 4074
PRESIDENT, and TUNSTALL, MATT as	)
treasurer;	)
COMMITTEE TO ELECT ROBERT J.	) AF# 4075
LOVERO, and FELLOWS, MICHAEL W	)
as treasurer;	)
CONSERVATIVE OPPORTUNITIES FOR	) AF# 4076
A NEW AMERICA PAC, and BAIN,	)
WILLIAM R. MR. as treasurer;	)
DEMOCRATIC FOUNDATION OF	) AF# 4077
ORANGE COUNTY, and HATTON,	)
GLEN as treasurer;	)
DISTRICT 1199C NAT'L UNION OF	) AF# 4078
HOSPITAL & HEALTH CARE	)
EMPLOYEES POLITICAL ACTION	)
FUND, and SALIMA PACE as treasurer;	)
FARMERS' RICE COOPERATIVE FUND,	) AF# 4079
and TANIMOTO, BILL as treasurer;	)
FUTURE GENERATIONS, and	) AF# 4080
LEGAULT, JEANNE E as treasurer;	)
	)

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HOMETOWN VALUES PAC, and	) AF# 4081
HELGESEN, FRANCIS XAVIER as	)
treasurer;	)
LV STRONG, and NICHOLAS,	) AF# 4082
CHRISTOPHER as treasurer;	)
MASSACHUSETTS BANKERS PAC-	) AF# 4083
FEDERAL FUND, and KILEY, KEVIN F	)
MR as treasurer;	)
MSCPAC, and STEVE MARKOSKY as	) AF# 4084
treasurer;	)
NATURAL PRODUCTS ASSOCIATION	) AF# 4085
POLITICAL ACTION COMMITTEE, and	)
DAN FABRICANT as treasurer;	)
NEVADA COUNTY REPUBLICAN	) AF# 4086
PARTY, and FRANCES J FREEDLE as	)
treasurer;	)
NIAC ACTION PAC, and ABDI, JAMAL	) AF# 4087
as treasurer;	)
OKLAHOMA LEADERSHIP COUNCIL,	) AF# 4088
and MCCUTCHIN, MICHAEL G as	)
treasurer;	)
ONLY IF YOU RUN, and REBECCA	) AF# 4089
BERWICK as treasurer;	)
PEOPLE POWERED ACTION, and	) AF# 4090
PULIDO, GWENDOLYN as treasurer;	)
PEOPLE4AMERICA FEDERAL	) AF# 4091
COMMITTEE, and HERMAN, BRIAN as	)
treasurer;	)
REGULAR PEOPLE, and BLUM, PAUL	) AF# 4092
as treasurer;	)
SALVEMOS A PUERTO RICO, and	) AF# 4093
FUENTES, JOSEPH as treasurer;	)
TARRANT COUNTY REPUBLICAN	) AF# 4094
VICTORY FUND, and DUBBERLY,	)
SHANNON as treasurer;	)
TFY PAC, and OBAYAN, OLUBUSOLA	) AF# 4095
as treasurer;	)
THE PETER NORBECK LEADERSHIP	) AF# 4096
PAC, and GRAY, BOB as treasurer;	)
TOGETHER WE THRIVE, and	) AF# 4097
CHRISTOPHER ZULLO as treasurer;	)
UNITED AMERICAN VETERANS PAC,	) AF# 4098
and MONVILLE, BRYAN JAMES as	)
treasurer;	)

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VISUAL DISOBEDIENCE CAMPAIGN	)	AF# 4099
COMMITTEE, and SHEMANSKI, PHILIP	)	
L as treasurer;	)	
WASHOE COUNTY REPUBLICAN	)	AF# 4100
CENTRAL COMMITTEE, and MILLER,	)	
PATRICIA as treasurer;	)	
WOMEN VOTE SMART, and KREMER,	)	AF# 4101
AMY S as treasurer;	)	

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on March 19, 2021, the Commission took the following actions on the Reason To Believe Recommendation - 2020 30 Day Post-General Report (Unauthorized Filers) for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated March 17, 2021, on the following committees:

AF#4066 Decided by a vote of 6-0 to: (1) find reason to believe that 43 ALUMNI FOR AMERICA, and KIRKSEY, KAREN 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4067 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICA GREAT PAC, and JASON PALLANTE 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.

AF#4068 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN DIGNITY PAC, and SCHWENK, JAMES DIRK 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.

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

AF#4069 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN PRO-ISRAEL PAC, and SULLIVAN, JEANNE 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4070 Decided by a vote of 6-0 to: (1) find reason to believe that AMSTED INDUSTRIES INCORPORATED PAC, and LOPEZ, TRISTAN PAIGE 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.

AF#4071 Decided by a vote of 6-0 to: (1) find reason to believe that BATTLE FOR AMERICA PAC, and WOLFE, WINSTON 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.

AF#4072 Decided by a vote of 6-0 to: (1) find reason to believe that BRONX UNITED, and PEREZ, RUSH 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.

AF#4073 Decided by a vote of 6-0 to: (1) find reason to believe that CALUMET PAC, and BRONOWSKI, 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4074 Decided by a vote of 6-0 to: (1) find reason to believe that CAMPAIGN TO SUPPORT THE PRESIDENT, and TUNSTALL, MATT 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.

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AF#4075 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT ROBERT J. LOVERO, and FELLOWS, MICHAEL W in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4076 Decided by a vote of 6-0 to: (1) find reason to believe that CONSERVATIVE OPPORTUNITIES FOR A NEW AMERICA PAC, and BAIN, WILLIAM R. 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4077 Decided by a vote of 6-0 to: (1) find reason to believe that DEMOCRATIC FOUNDATION OF ORANGE COUNTY, and HATTON, GLEN 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.

AF#4078 Decided by a vote of 6-0 to: (1) find reason to believe that DISTRICT 1199C NAT'L UNION OF HOSPITAL & HEALTH CARE EMPLOYEES POLITICAL ACTION FUND, and SALIMA PACE 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4079 Decided by a vote of 6-0 to: (1) find reason to believe that FARMERS' RICE COOPERATIVE FUND, and TANIMOTO, BILL in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4080 Decided by a vote of 6-0 to: (1) find reason to believe that FUTURE GENERATIONS, and LEGAULT, JEANNE E 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

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AF#4081 Decided by a vote of 6-0 to: (1) find reason to believe that HOMETOWN VALUES PAC, and HELGESEN, FRANCIS XAVIER 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.

AF#4082 Decided by a vote of 6-0 to: (1) find reason to believe that LV STRONG, and NICHOLAS, CHRISTOPHER 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.

AF#4083 Decided by a vote of 6-0 to: (1) find reason to believe that MASSACHUSETTS BANKERS PAC-FEDERAL FUND, and KILEY, KEVIN F 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4084 Decided by a vote of 6-0 to: (1) find reason to believe that MSCPAC, and STEVE MARKOSKY 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.

AF#4085 Decided by a vote of 6-0 to: (1) find reason to believe that NATURAL PRODUCTS ASSOCIATION POLITICAL ACTION COMMITTEE, and DAN FABRICANT 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.

AF#4086 Decided by a vote of 6-0 to: (1) find reason to believe that NEVADA COUNTY REPUBLICAN PARTY, and FRANCES J FREEDLE 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4087 Decided by a vote of 6-0 to: (1) find reason to believe that NIAC ACTION PAC, and ABDI, JAMAL in his official capacity as treasurer violated 52 U.S.C. §

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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.

AF#4088 Decided by a vote of 6-0 to: (1) find reason to believe that OKLAHOMA LEADERSHIP COUNCIL, and MCCUTCHIN, MICHAEL G 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.

AF#4089 Decided by a vote of 6-0 to: (1) find reason to believe that ONLY IF YOU RUN, and REBECCA BERWICK 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4090 Decided by a vote of 6-0 to: (1) find reason to believe that PEOPLE POWERED ACTION, and PULID O, GWENDOLYN 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4091 Decided by a vote of 6-0 to: (1) find reason to believe that PEOPLE4AMERICA FEDERAL COMMITTEE, and HERMAN, BRIAN 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.

AF#4092 Decided by a vote of 6-0 to: (1) find reason to believe that REGULAR PEOPLE, and BLUM, PAUL 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.

AF#4093 Decided by a vote of 6-0 to: (1) find reason to believe that SALVEMOS A PUERTO RICO, and FUENTES, 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.

Federal Election Commission  
Certification for Administrative Fines  
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Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4094 Decided by a vote of 6-0 to: (1) find reason to believe that TARRANT COUNTY REPUBLICAN VICTORY FUND, and DUBBERLY, SHANNON 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.

AF#4095 Decided by a vote of 6-0 to: (1) find reason to believe that TFY PAC, and OBAYAN, OLUBUSOLA 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4096 Decided by a vote of 6-0 to: (1) find reason to believe that THE PETER NORBECK LEADERSHIP PAC, and GRAY, BOB 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.

AF#4097 Decided by a vote of 6-0 to: (1) find reason to believe that TOGETHER WE THRIVE, and CHRISTOPHER ZULLO in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4098 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED AMERICAN VETERANS PAC, and MONVILLE, BRYAN JAMES 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.

AF#4099 Decided by a vote of 6-0 to: (1) find reason to believe that VISUAL DISOBEDIENCE CAMPAIGN COMMITTEE, and SHEMANSKI, PHILIP L 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  
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March 19, 2021

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AF#4100 Decided by a vote of 6-0 to: (1) find reason to believe that WASHOE COUNTY REPUBLICAN CENTRAL COMMITTEE, and MILLER, PATRICIA 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#4101 Decided by a vote of 6-0 to: (1) find reason to believe that WOMEN VOTE SMART, and KREMER, AMY S 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 Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

---



April 7, 2021  
Date

Attest:

**Laura  
Sinram**

Digitally signed by  
Laura Sinram  
Date: 2021.04.07  
13:28:28 -04'00'

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Laura E. Sinram  
Acting Secretary and Clerk of the  
Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

April 9, 2021

Shannon Dubberly, in official capacity as Treasurer  
Tarrant County Republican Victory Fund  
7524 Mosier View Ct.  
Suite 230  
Fort Worth, TX 76118

C00406645  
AF#: 4094

Dear Mr. Dubberly,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 30 Day Post-General Report of Receipts and Disbursements in a calendar year in which a regularly scheduled general election is held. This report, covering the period October 15, 2020 through November 23, 2020 shall be filed no later than December 3, 2020. 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 the 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 March 19, 2021, the FEC found that there is reason to believe ("RTB") that Tarrant County Republican Victory Fund and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before December 3, 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 \$8,082. 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 \$8,082 is due within forty (40) days of the finding, or by April 28, 2021, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$71,251

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 4

## TARRANT COUNTY REPUBLICAN VICTORY FUND

Page 2 of 5

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. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or April 28, 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

## TARRANT COUNTY REPUBLICAN VICTORY FUND

Page 3 of 5

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 Tarrant County Republican Victory Fund and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

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

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

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

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

**5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any

## TARRANT COUNTY REPUBLICAN VICTORY FUND

Page 4 of 5

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 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 \$8,082 for the Post-General Report.

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

TARRANT COUNTY REPUBLICAN VICTORY FUND

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Fine Program Payment form. Please use the details below to complete the required 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: Tarrant County Republican Victory Fund

FEC ID#: C00406645

AF#: 4094

PAYMENT DUE DATE: April 28, 2021

PAYMENT AMOUNT DUE: \$8,082

To Whom It May Concern:

I would like to appeal the following Post General (AF# 4094) administrative fine for \$8,082.

We are a small county party organization with volunteers. I am the volunteer treasurer who can only work on a desktop in the party offices. There is no laptop. I come into the office once or twice a month to do the filings. During Covid, when the offices were legally forced closed, I was unable to file reports monthly. This lead to some fines earlier in the year that compounded this fine.

I've had nobody to train me on the rules and I've done my best to read and follow them. Since becoming the new treasurer, I've submitted a Form 99 to explain our "best practices" and filed a Cash on Hand amendment to make the numbers more accurate. Every month, when I file, I list all charges and donations regardless of size to make sure our filings are as accurate as possible. If a correction or amendment is ever needed, I immediately contact the FEC and work with my representative to make any needed changes.

Again, we are a small county party and I only a volunteer. A fine of this magnitude would be devastating, especially when part of its calculation is due to the effects of Covid-19 and legally not being able to file in the office (it would've been against the law). I would also like to notify the administrative body that since this fine, we have filed monthly reports on time every month of 2021.

We ask for your understanding in this matter. If you have any questions or comments, please contact me immediately on my mobile at

Respectfully,

Shannon M. Dubberly, Treasurer

Tarrant County Republican Party  
Treasurer@TarrantGOP.org  
7524 Mosier View Ct Suite 230  
Fort Worth TX 76118  
817-595-0303 (office)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 22, 2021

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

AF# 4094 – Tarrant County Republican Victory Fund and Shannon Dubberly, in his official capacity as Treasurer (C00406645)

**Summary of Recommendation**

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$8,082 civil money penalty.

**Reason-to-Believe Background**

The 2020 Post-General Report was due on December 3, 2020. The respondents filed activity for the coverage period on January 20, 2021, 48 days late.<sup>1</sup> 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 March 19, 2021, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2020 Post-General Report and made a preliminary determination that the civil money penalty was \$8,082 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents’ email address of record from the Reports Analysis Division (“RAD”) on April 9, 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 committee not authorized by a candidate shall file a post-general report covering through the 20<sup>th</sup> day after the election no later than 30 days after the election. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(c)(1)(iii). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed.

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<sup>1</sup> The 2020 Post-General Report coverage period was 10/15/20 – 11/23/20. On 1/20/21, the Committee filed the 2020 November Monthly Report to include a portion of the required activity (10/15/20 – 10/31/20). On 1/21/21, the Committee filed the 2020 December Monthly Report to include the remaining portion of the required activity (11/1/20 – 11/23/20). On 2/23/21, the Committee clarified the public record by filing the 2020 Post-General Report (10/15/20 – 11/23/20). The report disclosed \$27,181.20 in total receipts and \$44,070.54 in total disbursements. Therefore, the level of activity of the 2020 Post-General Report is \$71,251.74.

11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

### **Summary of Respondents' Challenge**

On May 24, 2021, the Commission received the written response (“challenge”) from the Treasurer, explaining in part:

We are a small county party organization with volunteers. I am the volunteer treasurer who can only work on a desktop in the party offices. There is no laptop. I come into the office once or twice a month to do the filings. During Covid, when the offices were legally forced closed, I was unable to file reports monthly. This lead [sic] to some fines earlier in the year that compounded this fine.

The Treasurer also explains he does his best to follow reporting requirements and has timely filed all 2021 monthly reports. In addition, he notes that the large penalty would be devastating to the small county party.

### **Analysis**

The Treasurer does not provide a defense for the Committee’s failure to timely file the 2020 Post-General Report but requests consideration in the calculation of the civil money penalty.<sup>2</sup> He contends the penalty in this matter was compounded by previous administrative fine matters, which were the result of impacts from COVID-19.

The Treasurer is referring to the civil money penalties assessed in AF# 3779, AF# 3783, AF# 3799, and AF# 3844 for the Committee’s failure to timely file the 2019 Year-End Report and 2020 February, March, and May Monthly Reports, respectively. The Treasurer previously challenged the RTB findings in AF# 3783, AF# 3799, and AF# 3844.<sup>3</sup> He acknowledged these reports were not timely filed due to a misunderstanding of the monthly reporting requirements and not due to impacts of COVID-19. Failure to know reporting dates and inexperience of the treasurer are specifically included at 11 C.F.R. § 111.35(d) as examples of a circumstance that will not be considered reasonably unforeseen and beyond the respondents’ control. Therefore, the Reviewing Officer recommended that the Commission make a final determination in AF# 3783, AF# 3799, and AF# 3844 that the respondents violated 52 U.S.C. § 30104(a) and assess civil money penalties of \$684, \$236, and \$684, respectively. On February 17, 2021, the Commission adopted the Reviewing Officer’s recommendations.<sup>4</sup>

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<sup>2</sup> While the respondents did not indicate they misunderstood or were unaware of the 2020 Post-General Report filing requirement, the Reviewing Officer confirms that the Commission appropriately notified and reminded the Committee of its requirement to file the report prior to and after the December 3, 2020 reporting deadline. *See* Attachments 2, 3, and 4.

<sup>3</sup> The Committee did not challenge the RTB finding in AF# 3779.

<sup>4</sup> *See* Reviewing Officer Recommendation, Final Determination Recommendation, and Certification in AF# 3783, AF# 3799, and AF# 3844 – Tarrant County Republican Victory Fund and Shannon Dubberly, in his official capacity as Treasurer (C00406645)

The Reviewing Officer confirms that previous violations are included in the calculation of a civil money penalty, and the calculation of the civil money penalty at RTB is correct. A previous violation is defined as a prior civil money penalty assessed during the current and prior two-year election cycle. 11 C.F.R. § 111.43(d)(4). At the time of the RTB finding in this matter, the Committee had four (4) previous violations (AF# 3779, AF# 3783, AF# 3799, and AF# 3844). The civil money penalty calculation for a report which is not election-sensitive is contained at 11 C.F.R. § 111.43(a). It states that the penalty for a non-filed report with between \$50,000 and \$74,999.99 in activity will be  $\$4,041 \times [1 + (.25 \times \text{Number of previous violations})]$ . Considering the Committee's four (4) previous violations, the civil money penalty is \$8,082.

The challenge fails to adequately address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 111.35(b). Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a civil money penalty of \$8,082.

## **OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 4094 involving Tarrant County Republican Victory Fund and Shannon Dubberly, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4094 that Tarrant County Republican Victory Fund and Shannon Dubberly, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$8,082 civil money penalty; and
3. Send the appropriate letter.

## **Attachments**

Attachment 1 –

Attachment 2 –

Attachment 3 –

Attachment 4 – Declaration from RAD

Attachment 5 – Declaration from OAR

## DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission (“Commission”). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Tarrant County Republican Victory Fund:
  - A) Non-Filer Letter, dated December 18, 2020, referencing the 2020 30-Day Post-General Report (sent via electronic mail to: treasurer@tarrantgop.org and s\_dubberly@yahoo.com);
  - B) Reason-to-Believe Letter, dated April 9, 2021, referencing the 2020 30-Day Post-General Report (sent via electronic mail to: treasurer@tarrantgop.org and s\_dubberly@yahoo.com).
4. I hereby certify that I have searched the Commission’s public records and find that Tarrant County Republican Victory Fund filed a 2020 November Monthly Report, which included partial coverage for the 2020 30-Day Post-General Report, with the Commission on January 20, 2021, and a 2020 December Monthly Report, which included the remainder of the coverage period for the 2020 30-Day Post-General Report, with the Commission on January 21, 2021. Subsequently, Tarrant County Republican Victory Fund filed the 2020 30-Day Post-General Report with the correct coverage dates on February 23, 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 telecons for the matter have been provided. This declaration was executed on the 25<sup>th</sup> day of June, 2021.

*Kristin D. Roser*

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



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-7

December 18, 2020

DUBBERLY, SHANNON, TREASURER  
TARRANT COUNTY REPUBLICAN VICTORY FUND  
7524 MOSIER VIEW CT.  
STE. 230  
FORT WORTH, TX 76118

IDENTIFICATION NUMBER: C00406645

REFERENCE: POST-GENERAL REPORT (10/15/2020 - 11/23/2020)

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).

## TARRANT COUNTY REPUBLICAN VICTORY FUND

Page 2 of 2

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 Ben Holly in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1129.

Sincerely,



Deborah Chacona  
Assistant Staff Director  
Reports Analysis Division

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## DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission (“Commission”). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A committee not authorized by a candidate shall file a post-general report covering through the 20<sup>th</sup> day after the election no later than 30 days after the election. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on December 3, 2020 for the 2020 Post-General Report to be timely filed.
- 3) I hereby certify that I have searched the Commission’s public records and that the documents identified herein are the true and accurate copies of:
  - a) Cover Page of the 2020 November Monthly Report filed by Tarrant County Republican Victory Fund and Shannon Dubberly, in his official capacity as Treasurer. The report includes the coverage period of October 1, 2020 through October 31, 2020 and was electronically filed on January 20, 2021.
  - b) Cover Pages of the 2020 December Monthly Report filed by Tarrant County Republican Victory Fund and Shannon Dubberly, in his official capacity as Treasurer. The report includes the coverage period of November 1, 2020 through November 30, 2020 and was electronically filed on January 21, 2021.
  - c) Cover, Summary, and Detailed Summary Pages of the 2020 Post-General Report filed by Tarrant County Republican Victory Fund and Shannon Dubberly, in his official capacity as Treasurer. The report includes the coverage period of October 15, 2020 through November 23, 2020 and was electronically filed on February 23, 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 22<sup>nd</sup> day of July, 2021.

  
 Rhiannon Magruder  
 Reviewing Officer  
 Office of Administrative Review  
 Federal Election Commission

FEC  
FORM 3XREPORT OF RECEIPTS  
AND DISBURSEMENTS  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (in full) **TYPE OR PRINT ▼**Example: If typing, type  
over the lines.

12FE4M5

TARRANT COUNTY REPUBLICAN VICTORY FUND

ADDRESS (number and street)

7524 MOSIER VIEW CT.

STE. 230

FORT WORTH

TX

76118

-

 Check if different  
than previously  
reported. (ACC)

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

 C C004066453. IS THIS  
REPORTNEW  
(N)

OR

AMENDED  
(A)

## 4. TYPE OF REPORT

(Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
- July 15 Quarterly Report (Q2)
- October 15 Quarterly Report (Q3)
- January 31 Year-End Report (YE)
- July 31 Mid-Year Report (Non-election Year Only) (MY)
- Termination Report (TER)

(b) Monthly  
Report  
Due On: Feb 20 (M2) May 20 (M5) Aug 20 (M8) Nov 20 (M11)  
(Non-Election  
Year Only) Mar 20 (M3) Jun 20 (M6) Sep 20 (M9) Dec 20 (M12)  
(Non-Election  
Year Only) Apr 20 (M4) Jul 20 (M7) Oct 20 (M10) Jan 31 (YE)(c) 12-Day  
PRE-Election  
Report for the: Primary (12P) General (12G) Runoff (12R) Convention (12C) Special (12S)

Election on

 M M /  D D /  Y Y Y Yin the  
State of(d) 30-Day  
POST-Election  
Report for the: General (30G) Runoff (30R) Special (30S)

Election on

 M M /  D D /  Y Y Y Y Yin the  
State of

5. Covering Period

 10 01 2020

through

 10 31 2020

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Dubberly, Shannon, , ,

Type or Print Name of Treasurer

Signature of Treasurer

Dubberly, Shannon, , ,

[Electronically Filed]

Date

 01 20 2021

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

Office  
Use  
OnlyFEC FORM 3X  
Rev. 05/2016

FEC  
FORM 3XREPORT OF RECEIPTS  
AND DISBURSEMENTS  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type  
over the lines.

12FE4M5

TARRANT COUNTY REPUBLICAN VICTORY FUND

ADDRESS (number and street)

7524 MOSIER VIEW CT.

STE. 230

FORT WORTH

TX

76118

-

 Check if different  
than previously  
reported. (ACC)

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

 C C004066453. IS THIS  
REPORTNEW  
(N)

OR

AMENDED  
(A)

## 4. TYPE OF REPORT

(Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
- July 15 Quarterly Report (Q2)
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Report  
Due On: Feb 20 (M2) May 20 (M5) Aug 20 (M8) Nov 20 (M11)  
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Year Only) Mar 20 (M3) Jun 20 (M6) Sep 20 (M9) Dec 20 (M12)  
(Non-Election  
Year Only) Apr 20 (M4) Jul 20 (M7) Oct 20 (M10) Jan 31 (YE)(c) 12-Day  
PRE-Election  
Report for the: Primary (12P) General (12G) Runoff (12R) Convention (12C) Special (12S)

Election on

 M M /  D D /  Y Y Y Yin the  
State of(d) 30-Day  
POST-Election  
Report for the: General (30G) Runoff (30R) Special (30S) M M /  D D /  Y Y Y Y Y Yin the  
State of

5. Covering Period

 11 01 2020

through

 11 30 2020

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Dubberly, Shannon, , ,

Type or Print Name of Treasurer

Signature of Treasurer

Dubberly, Shannon, , ,

[Electronically Filed]

Date

 01 21 2021

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

Office  
Use  
OnlyFEC FORM 3X  
Rev. 05/2016

FEC  
FORM 3XREPORT OF RECEIPTS  
AND DISBURSEMENTS  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type  
over the lines.

12FE4M5

TARRANT COUNTY REPUBLICAN VICTORY FUND

ADDRESS (number and street)

7524 MOSIER VIEW CT.

STE. 230

FORT WORTH

TX

76118

-

 Check if different  
than previously  
reported. (ACC)

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

 C C004066453. IS THIS  
REPORTNEW  
(N) ORAMENDED  
(A)

## 4. TYPE OF REPORT

(Choose One)

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- April 15 Quarterly Report (Q1)
- July 15 Quarterly Report (Q2)
- October 15 Quarterly Report (Q3)
- January 31 Year-End Report (YE)
- July 31 Mid-Year Report (Non-election Year Only) (MY)
- Termination Report (TER)

(b) Monthly Report Due On:

<input type="checkbox"/>	Feb 20 (M2)	<input type="checkbox"/>	May 20 (M5)	<input type="checkbox"/>	Aug 20 (M8)	<input type="checkbox"/>	Nov 20 (M11) (Non-Election Year Only)
<input type="checkbox"/>	Mar 20 (M3)	<input type="checkbox"/>	Jun 20 (M6)	<input type="checkbox"/>	Sep 20 (M9)	<input type="checkbox"/>	Dec 20 (M12) (Non-Election Year Only)
<input type="checkbox"/>	Apr 20 (M4)	<input type="checkbox"/>	Jul 20 (M7)	<input type="checkbox"/>	Oct 20 (M10)	<input type="checkbox"/>	Jan 31 (YE)

(c) 12-Day PRE-Election Report for the:

<input type="checkbox"/>	Primary (12P)	<input type="checkbox"/>	General (12G)	<input type="checkbox"/>	Runoff (12R)
<input type="checkbox"/>	Convention (12C)	<input type="checkbox"/>	Special (12S)		

(d) 30-Day POST-Election Report for the:

<input checked="" type="checkbox"/>	General (30G)	<input type="checkbox"/>	Runoff (30R)	<input type="checkbox"/>	Special (30S)
-------------------------------------	---------------	--------------------------	--------------	--------------------------	---------------

5. Covering Period

M M / 10

D D / 15

Y Y Y Y / 2020

through

M M / 11

D D / 23

Y Y Y Y / 2020

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.  
Dubberly, Shannon, , ,

Type or Print Name of Treasurer

Signature of Treasurer

Dubberly, Shannon, , ,

[Electronically Filed]

Date

M M / 02 / 23 / 2021

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

Office  
Use  
OnlyFEC FORM 3X  
Rev. 05/2016

**SUMMARY PAGE**  
OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 05/2016)

Page 2

Write or Type Committee Name

TARRANT COUNTY REPUBLICAN VICTORY FUND

Report Covering the Period: From:

M	M
10	

/

D	D
15	

/

Y	Y	Y	Y
2020			

To:

M	M
11	

/

D	D
23	

/

Y	Y	Y	Y
2020			

**COLUMN A**  
This Period

**COLUMN B**  
Calendar Year-to-Date

6. (a) Cash on Hand January 1,	Y Y Y Y Y 2020	107494.15
(b) Cash on Hand at Beginning of Reporting Period.....	57072.90	
(c) Total Receipts (from Line 19) .....	27181.20	131404.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B) .....	84254.10	238898.15
7. Total Disbursements (from Line 31).....	44070.54	198714.59
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) .....	40183.56	40183.56
9. Debts and Obligations Owed <b>TO</b> the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	
10. Debts and Obligations Owed <b>BY</b> the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	



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

**For further information contact:**

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

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

## DETAILED SUMMARY PAGE

of Receipts

FEC Form 3X (Rev. 05/2016)

Page 3

Write or Type Committee Name

TARRANT COUNTY REPUBLICAN VICTORY FUND

Report Covering the Period: From:

M M  
10D D  
15Y Y Y Y Y  
2020

To:

M M  
11D D  
23Y Y Y Y Y  
2020

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	21140.40	86731.40
(ii) Unitemized .....	3340.80	21302.60
(iii) TOTAL (add Lines 11(a)(i) and (ii)).....►	24481.20	108034.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs).....	2700.00	23370.00
(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5) .....	27181.20	131404.00
12. Transfers From Affiliated/Other Party Committees.....	0.00	0.00
13. All Loans Received .....	0.00	0.00
14. Loan Repayments Received.....	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5).....	0.00	0.00
16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.).....	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3) .....	0.00	0.00
(b) Levin Funds (from Schedule H5) .....	0.00	0.00
(c) Total Transfers (add 18(a) and 18(b))..	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)) .....	27181.20	131404.00
20. Total Federal Receipts (subtract Line 18(c) from Line 19) .....	27181.20	131404.00

## DETAILED SUMMARY PAGE

of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)	0.00	0.00
(i) Federal Share .....	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures .....	44070.54	198714.59
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)) .....	44070.54	198714.59
22. Transfers to Affiliated/Other Party Committees.....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	0.00
24. Independent Expenditures (use Schedule E) .....	0.00	0.00
25. Coordinated Party Expenditures (52 U.S.C. § 30116(d)) (use Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	0.00	0.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees .....	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 28(a), (b), and (c)).....	0.00	0.00
29. Other Disbursements (Including Non-Federal Donations).....	0.00	0.00
30. Federal Election Activity (52 U.S.C. § 30101(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share .....	0.00	0.00
(ii) "Levin" Share.....	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds .....	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)) .....	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c))..	44070.54	198714.59
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	44070.54	198714.59

DETAILED SUMMARY PAGE  
of Disbursements

Page 5

FEC Form 3X (Rev. 05/2016)

III. Net Contributions/ Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3) .....	27181.20	131404.00
34. Total Contribution Refunds (from Line 28(d)) .....	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33) .....	27181.20	131404.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)) .....	44070.54	198714.59
37. Offsets to Operating Expenditures (from Line 15, page 3).....	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36) .....	44070.54	198714.59



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 23, 2021

Shannon Dubberly, in official capacity as Treasurer  
Tarrant County Republican Victory Fund  
7524 Mosier View Court, Ste. 230  
Fort Worth, TX 76118

C00406645  
AF#: 4094

Dear Mr. Dubberly:

On March 19, 2021, the Federal Election Commission (“the Commission”) found reason to believe (“RTB”) that Tarrant County Republican Victory Fund and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2020 Post-General Report. The Commission also made a preliminary determination that the civil money penalty was \$8,082 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 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

Committee Members:

I, Shannon Dubberly, as treasurer for the Tarrant County Republican Victory Fund take full responsibility for the filing mistakes. Below, I will try to clarify why they were made and hope to help you understand what happened and how in some cases there were extenuating circumstances. I also hope to show how the fine will be debilitating, as well as counterproductive. In no particular order:

- **COVID Restrictions** – The offices were closed by the government for months during the pandemic and it was against the law for me to go into the office. There was literally no way for me to file as our organization only has an old desktop (no laptop) that is located in our office.
- **Knowledge** – Though not an excuse, I originally misunderstood the FEC's guidance and thought monthly filings should be submitted quarterly. That's why you see the first two sets of filings were in groups of three in a quarterly pattern. In regard to the post-general filings, I misunderstood the guidance and thought since we were an organization, not a campaign with a candidate, we only had to continue filing monthly. Once the FEC notified me this was incorrect, I worked with them to refile.
- **Already Paid Thousands** – We are a small county party and have already paid thousands for the previous mistakes that were caused either by COVID or misunderstandings. Having to pay this additional fine would be crushing. We have learned from our mistakes and to pay a fine that includes mistakes we've already paid for is doubly punitive.
- **Laptop** – We are saving money to buy a laptop for the treasurer to prevent the circumstances from occurring again. If the fine holds, then we will not be able to afford the laptop and will continue to be at risk to future pandemic (or other natural disaster) closures.
- **No Mistakes Since** – Since the post-general/end-of-year filing issues, we have submitted all monthly filings on time and in full compliance. We have learned from our mistakes and established internal processes and mechanisms to prevent future treasurers from repeating them.

In summation, we ask for the Committee's understanding and confidence. These circumstances and mistakes will not happen again. We have taken action to improve our internal knowledge management and communication capabilities. Furthermore, if not fined again, we plan to spend the saved money on tools (laptop) to improve our capability as filers. We understand you deal with issues like this regularly, but for us this is a massive fine that will cripple our organization. **We ask that you make the determination not to assess the fine** so that we can spend the funds on tools to meet our FEC obligations and voter outreach goals.

If you have any further questions or considerations, please do not hesitate to contact me anytime.

Respectfully,

Shannon Dubberly

Treasurer, Tarrant County Republican Victory Fund



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

October 27, 2021

**MEMORANDUM**

To: The Commission

Through: Alec Palmer *AP*  
Staff Director

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

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 4094 – Tarrant County Republican Victory Fund and Shannon Dubberly, in their official capacity as Treasurer (C00406645)

On March 19, 2021, the Commission found reason to believe (“RTB”) that Tarrant County Republican Victory Fund and Shannon Dubberly, in their official capacity as Treasurer violated 52 U.S.C. § 30104(a) for failing to timely file the 2020 Post-General Report and made a preliminary determination that the civil money penalty was \$8,082 based on the schedule of penalties at 11 C.F.R. § 111.43. On May 24, 2021, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated July 22, 2021 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer determined that the challenge failed to adequately address any of the three valid grounds at 11 C.F.R. § 111.35(b). The Reviewing Officer also confirmed that previous violations are included in the calculation of a civil money penalty, and the calculation of the civil money penalty at RTB is correct. Therefore, the Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$8,082 civil money penalty.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). On October 12, 2021, the Treasurer submitted a response to the ROR. *See Attachment 1.* The response reiterates the

points made in the original challenge and addressed in the ROR.<sup>1</sup> The response also further emphasizes how the additional penalty would financially impact the Committee. The respondents state, in part:

In summation, we ask for the [Commission's] understanding and confidence. These circumstances and mistakes will not happen again. We have taken action to improve our internal knowledge management and communication capabilities. Furthermore, if not fined again, we plan to spend the saved money on tools (laptop) to improve our capability as filers. We understand you deal with issues like this regularly, but for us this is a massive fine that will cripple our organization. **We ask that you make the determination not to assess the fine** so that we can spend the funds on tools to meet our FEC obligations and voter outreach goals. (emphasis included)

The Reviewing Officer's analysis and recommendations are unchanged. The challenge and response to the ROR fail to adequately address any of the three valid grounds at 11 C.F.R § 111.35(b). In addition, the calculation of the civil money penalty at RTB is correct. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$8,082 civil money penalty.

## OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 4094 involving Tarrant County Republican Victory Fund and Shannon Dubberly, in their official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4094 that Tarrant County Republican Victory Fund and Shannon Dubberly, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$8,082 civil money penalty; and
3. Send the appropriate letter.

---

<sup>1</sup> The Treasurer's response to the ROR refers to impacts of COVID-19. The Reviewing Officer notes that this reference was made with respect to prior administrative fines and the calculation of previous violations in this matter, as explained in the original challenge and analyzed in the ROR.

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Final Determination Recommendation: ) AF 4094  
Tarrant County Republican Victory Fund )  
and Shannon Dubberly, in their official )  
capacity as Treasurer (C00406645) )

## CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on November 03, 2021, the Commission decided by a vote of 6-0 to take the following actions in AF 4094:

1. Adopt the Reviewing Officer recommendation for AF# 4094 involving Tarrant County Republican Victory Fund and Shannon Dubberly, in their official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 4094 that Tarrant County Republican Victory Fund and Shannon Dubberly, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$8,082 civil money penalty.
3. Send the appropriate letter.

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

Attest:

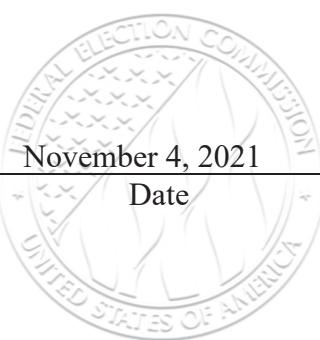
# Laura e Sinram

Digitally signed by  
Laura e Sinram  
Date: 2021.11.04  
16:03:17 -04'00'

Laura E. Sinram  
Acting Secretary and Clerk of the  
Commission

November 4, 2021

Date





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 9, 2021

Shannon Dubberly, in official capacity as Treasurer  
Tarrant County Republican Victory Fund  
7524 Mosier View Court, Ste. 230  
Fort Worth, TX 76118

C00406645  
AF# 4094

Dear Mr. Dubberly:

On March 19, 2021, the Federal Election Commission (“the Commission”) found reason to believe (“RTB”) that Tarrant County Republican Victory Fund and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2020 Post-General Report. By letter dated April 9, 2021, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$8,082 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 24, 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 make a final determination that Tarrant County Republican Victory Fund and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$8,082 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on July 23, 2021. On October 12, 2021, the Commission received your written response.

On November 3, 2021, the Commission adopted the Reviewing Officer’s recommendation and made a final determination that Tarrant County Republican Victory Fund 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 \$8,082. 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

Attachment

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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 \$8,082 for the 2020 Post-General Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](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: Tarrant County Republican Victory Fund

FEC ID#: C00406645

AF#: 4094

PAYMENT AMOUNT DUE: \$8,082