



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

April 1, 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

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

SUBJECT: Reason To Believe Recommendation – 2020 Year-End Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2020 Year-End Report in accordance with 52 U.S.C. § 30104(a). The Year-End Report was due on January 31, 2021.

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

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

- Every Year-End Report (YE) submitted by an unauthorized quarterly filer that covered the period from October 1, 2020 through December 31, 2020 (92 days) was reviewed for activity which would have required the filing of a 30 Day Post-General Report (30 Day Report). If our research indicated that a 30G was required, we utilized a three-step method to arrive at the activity on which to base the YE fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a YE that covered the period from November 24, 2020 through December 31, 2020 (38 days). Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 41.30% (38 days (correct YE Filing Period)/92 days (submitted YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the YE.

### **Recommendation**

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

Federal Election Commission  
Reason to Believe Circulation Report  
2020 YEAR-END Not Election Sensitive 01/31/2021 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4131	C00743146	COMMITTEE TO ELECT ROBERT J. LOVERO		MICHAEL W. FELLOWS	\$383,254	0	2/10/2021	10	\$13,621	\$211

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4149	C00702043	I.B.E.W. LOCAL 103 FEDERAL POLITICAL ACTION COMMITTEE		KEVIN W. MONAHAN	\$584,510	0		Not Filed	\$97,418 (est)	\$5,237

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Reason To Believe Recommendation – )  
2020 Year-End Report for the )  
Administrative Fine Program: )

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

COMMITTEE TO ELECT ROBERT J. ) AF# 4131  
LOVERO, and FELLOWS, MICHAEL W )  
as treasurer; )

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

I.B.E.W. LOCAL 103 FEDERAL ) AF# 4149  
POLITICAL ACTION COMMITTEE, and )  
MONAHAN, KEVIN W MR. as treasurer; )



Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 05, 2021, the Commission took the following actions on the Reason To Believe Recommendation – 2020 Year-End Report for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated April 01, 2021, on the following committees:

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

AF#4131 Decided by a vote of 4-0 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, and Weintraub voted affirmatively for the decision. Commissioners Trainor and Walther did not vote.



Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

AF#4149 Decided by a vote of 4-0 to: (1) find reason to believe that I.B.E.W. LOCAL 103 FEDERAL POLITICAL ACTION COMMITTEE, and MONAHAN, KEVIN W MR. in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, and Weintraub voted affirmatively for the decision. Commissioners Trainor and Walther did not vote.

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

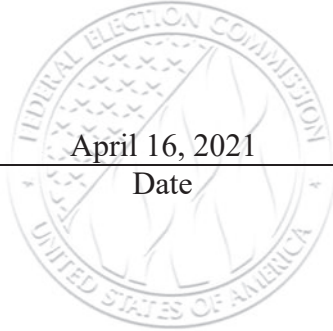
Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021



Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021

Federal Election Commission  
Certification for Administrative Fines  
April 5, 2021



Attest:

**Laura Sinram**

Digitally signed by  
Laura Sinram  
Date: 2021.04.16  
09:00:52 -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 20, 2021

Michael W. Fellows, in official capacity as Treasurer  
Committee to Elect Robert J. Lovero  
2140 S. Oak Park  
Berwyn, IL 60402

C00743146  
AF#: 4131

Dear Mr. Fellows,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year-End Report of Receipts and Disbursements every calendar year. This report, covering the period November 24, 2020 through December 31, 2020, shall be filed no later than January 31, 2021. 52 U.S.C. § 30104(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on February 10, 2021, 10 days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On April 5, 2021, the FEC found that there is reason to believe ("RTB") that Committee to Elect Robert J. Lovero and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before January 31, 2021. 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 \$211. 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 \$211 is due within forty (40) days of the finding, or by May 15, 2021, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$13,621  
Number of Days Late: 10  
Number of Previous Civil Money Penalties Assessed: 0

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

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money

## COMMITTEE TO ELECT ROBERT J. LOVERO

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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 May 15, 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, the Federal Election Commission's office remains closed to visitors and most of its employees are continuing 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 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

## COMMITTEE TO ELECT ROBERT J. LOVERO

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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 Committee to Elect Robert J. Lovero and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

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

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

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

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

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

**5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the

## COMMITTEE TO ELECT ROBERT J. LOVERO

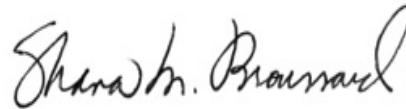
Page 4 of 5

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 \$211 for the Year-End Report.

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

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COMMITTEE NAME: Committee to Elect Robert J. Lovero

FEC ID#: C00743146

AF#: 4131

PAYMENT DUE DATE: May 15, 2021

PAYMENT AMOUNT DUE: \$211



To: Federal Election Commission  
Administrative Review  
From: Michael Fellows – Treasurer  
Committee to Elect Robert J. Lovero  
Committee #C00743146  
Date: April 27, 2021  
RE: AF#4131

To Whom It May Concern,

Openly, this is the 3rd violation regarding to this committee. I want to begin by saying that I am relatively new to the Federal Election Commission filings. I have been the treasurer for this organization for approximately 3 years now and my record with the State of Illinois is flawless. This process is causing me to file with 2 separate systems. I was advised to contest this violation because I am working towards closing this committee because it was started in error. I have had several conversations with staff from the FEC Campaign Disclosure section and based upon those conversation I am working towards closing out this committee. This violation is going to delay the closing. This committee only has City level candidates, and this committee will never have a federal candidate attached to it. Last year based upon several contributions that we had made; it caused the need to register with the FEC. I was initially under the assumption that this filing with the FEC was merely to document the contributions and not cause a whole new way of having to file for our political organization.

Regarding this specific violation, The FEC system is complicated and not user friendly and I am asking for some concession from the commission. I am asking leniency because due to having to file with both the FEC and State of Illinois, the filings take additional time as I am doing double work.

In the end, I would like to personally apologize to the commission for having to even deal with this. However, I am working on closing this committee out because I do not feel the creation was necessary. I will say that everything I read about closing out the committee speaks of pressing the button to close out on LINE 4, but I still cannot find even how to do that on the FECFILE program. COVID-19 has burdened us all and it continues to burden us. I am willing to acknowledge the issues I am facing on my end and asking the commission to see and acknowledge those issues and problems that I am having. I am graciously asking the commission in the end to either eliminate or discount the imposed fine.

I can be reached with any questions or concerns at \_\_\_\_\_ which is my cell phone.

Respectfully,

Michael Fellows  
Treasurer  
Committee to Elect Robert J. Lovero  
C00743146



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 25, 2021

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

AF# 3938, AF# 4075, and AF# 4131 – Committee to Elect Robert J. Lovero and Michael W. Fellows, in his official capacity as Treasurer (C00743146)

### **Summary of Recommendations**

Terminate the proceedings in AF# 3938, AF# 4075, and AF# 4131 in accordance with 11 C.F.R. § 111.37(b) and close the files.

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

The 2020 October Quarterly Report was due on October 15, 2020. The respondents filed the report on February 13, 2021, 121 days late. The report is election sensitive and was not filed prior to 4 days before the 2020 General Election; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(2). On January 8, 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 October Quarterly Report and made a preliminary determination that the civil money penalty was \$5,916 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 Reports Analysis Division (“RAD”) on February 8, 2021 to notify them of the Commission’s RTB finding and civil money penalty.

The 2020 Post-General Report was due on December 3, 2020. The respondents filed the activity for the coverage period on February 10, 2021, 69 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 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 \$1,267 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 RAD on April 9, 2021 to notify them of the Commission’s RTB finding and civil money penalty.

The 2020 Year-End Report was due on January 31, 2021. The respondents filed the report on February 10, 2021, 10 days late. The report is not election sensitive and was filed within 30

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<sup>1</sup> On 2/10/21, the Committee filed the 2020 Year-End Report to include the coverage period of the 2020 Post-General Report (10/1/20 – 11/23/20).

days of the due date; therefore, the report is considered late. 11 C.F.R. §§ 111.43(d)(1) and (e)(1). On April 5, 2021, the Commission found RTB that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2020 Year-End Report and made a preliminary determination that the civil money penalty was \$211 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 RAD on April 20, 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 political committee not authorized by a candidate shall file, in an election year, a report for the period ending September 30 no later than October 15, a report for the period ending 20 days after a general election no later than 30 days after the general election, and a report for the quarter ending December 31 no later than January 31 of the following calendar year. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(c)(1). Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on October 15, 2020 for the 2020 October Quarterly Report to be timely filed, on December 3, 2020 for the 2020 Post-General Report to be timely filed, and January 31, 2021 for the 2020 Year-End Report 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 Treasurer for AF# 3938. On April 27, 2021 the Commission received the challenges from the Treasurer for AF# 4075 and AF# 4131. The Treasurer states he is attempting to terminate the Committee upon resolution of outstanding matters. He explains that the Committee was required to register with the FEC in 2020 after making contributions to federal candidates, but the Committee has since requested refunds for those contributions and is filing amendments to correctly report non-federal activity. The Treasurer notes that he has been attempting to learn the FECFile system, which he states is "complicated and not user-friendly."

The Treasurer explains the reasons each report was not timely filed. He states that he attempted to upload the 2020 October Quarterly Report multiple times, but it was not accepted. With respect to the 2020 Post-General Report, the Treasurer acknowledges he was not aware of the reporting requirement. Finally, the 2020 Year-End Report was delayed due to difficulty using FECFile and the burden of filing separately with the State of Illinois and the FEC. The Treasurer concludes by requesting that the Commission waive or reduce the penalties given the circumstances and burdens of COVID-19.

## **Analysis**

On March 29, 2020, the Committee registered with the FEC as a Single Candidate Independent Expenditure Committee to support Robert J. Lovero. Mr. Lovero is the Mayor of Berwyn, Illinois.<sup>2</sup> In the challenge, the Treasurer explains that the Committee made \$2,200 in

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<sup>2</sup> [https://www.berwyn-il.gov/?q=mayors\\_office](https://www.berwyn-il.gov/?q=mayors_office)

contributions to federal candidates in 2020 which triggered its requirement to register with the FEC. However, the Committee has participated in no other federal activity. Further, the Committee requested refunds for these contributions to negate its federal political committee status.

At the time RAD made its RTB recommendations, there was no indication that the Committee's reported activity was not for the purpose of influencing federal elections. Upon receiving the challenges and at the request of OAR, RAD contacted the Treasurer to confirm that the Committee's activity during the 2020 October Quarterly, Post-General, and Year-End reporting periods was not for the purpose of influencing federal elections, as contended in the challenge. The Treasurer confirmed that the Committee did not have any federal activity subsequent to those contributions totaling \$2,200 for which refunds were previously requested. RAD advised the Treasurer to file a Form 99 (Miscellaneous Electronic Submission) to document the Committee's status and intent to terminate.

On April 15, 2021, the Committee filed a Form 99 stating, in part:

#1. The Committee to Elect Robert J. Lovero did send \$2200 in campaign contributions to federal candidates. It was never the intention of the Committee to Elect Robert J. Lovero to aid or be involved in any federal election activity. Subsequent to these contributions Committee to Elect Robert J. Lovero will not be contributing to federal candidates nor aiding in or getting involved with federal elections. These activities have ceased and will no longer be occurring in the future.

#2. The contributions to the federal candidates that were send [sic], a refund of the contributions were requested from those federal candidates. To date, The Kristine Schanbacher for Congress federal committee has refunded the Committee to Elect Robert J. Lovero the \$1000 contribution. Those papers can be produced if necessary.

#3. It is the intention of the Committee to Elect Robert J. Lovero to terminate this federal committee as soon as possible. The Committee to Elect Robert J. Lovero did not intend to engage in any federal election activity and the Committee to Elect Robert J. Lovero's only intention is to engage in local, county, and township elections. The Committee to Elect Robert J. Lovero will be filing for termination as soon as possible.

On April 27, 2021, the Committee filed a Form 99 explaining the \$1,000 contribution to Kristine Schanbacher for Congress was returned to the Committee on February 2, 2021 through Act Blue.

The respondents' challenge, Forms 99 filed April 15 and 27, 2021, and RAD telephone logs all indicate that the Committee did not have any federal activity during the 2020 October Quarterly, 2020 Post-General, or Year-End reporting periods. Further, the Committee states it will not participate in any activity for the purpose of influencing federal elections that would require it to be registered as a political committee pursuant to 11 C.F.R § 100.5. Therefore, the Reviewing Officer recommends that the Committee continue to work with RAD to resolve outstanding matters and file a termination report pursuant to 11 C.F.R § 102.3(a)(1) to request the termination of its filing

requirements with the Commission.<sup>3</sup> The respondents should submit the termination report prior to the Reviewing's Officer's Final Determination Recommendation to the Commission.

The Committee, as a registered political committee, was required to timely file the 2020 October Quarterly, Post-General, and Year-End Reports with the Commission pursuant to 52 U.S.C. § 30104(a)(4)(A) and 11 C.F.R. § 104.5(c)(1). Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 104.14(d). However, the Reviewing Officer recognizes that the Committee may not be required to be registered as a political committee with the Commission. Therefore, pending the Committee's submission of a termination report, as advised above, the Reviewing Officer will recommend that the Commission terminate the proceedings in AF# 3938, AF# 4075, and AF# 4131 in accordance with 11 C.F.R. § 111.37(b) and close the files.

### **OAR Recommendations**

1. Terminate the proceedings in AF# 3938 that Committee to Elect Robert J. Lovero and Michael W. Fellows, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
2. Terminate the proceedings in AF# 4075 that Committee to Elect Robert J. Lovero and Michael W. Fellows, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
3. Terminate the proceedings in AF# 4131 that Committee to Elect Robert J. Lovero and Michael W. Fellows, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
4. Send the appropriate letters.

### **Attachments**

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

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<sup>3</sup> Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

**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 Committee to Elect Robert J. Lovero:
  - A) Non-Filer Letter, dated October 30, 2020, referencing the 2020 October Quarterly Report (sent via electronic mail to: info@dcob.org and berwyn222@gmail.com);
  - B) Non-Filer Letter, dated December 18, 2020, referencing the 2020 30 Day Post-General Report (sent via electronic mail to: info@dcob.org and berwyn222@gmail.com);
  - C) Reason-to-Believe Letter, dated February 8, 2021, referencing the 2020 October Quarterly Report (sent via electronic mail to: info@dcob.org and berwyn222@gmail.com);
  - D) Reason-to-Believe Letter, dated April 9, 2021, referencing the 2020 30 Day Post-General Report (sent via electronic mail to: info@dcob.org and berwyn222@gmail.com);
  - E) Reason-to-Believe Letter, dated April 20, 2021, referencing the 2020 Year-End Report (sent via electronic mail to: info@dcob.org and berwyn222@gmail.com).

4. I hereby certify that I have searched the Commission's public records and find that Committee to Elect Robert J. Lovero filed the 2020 October Quarterly Report with the Commission on February 13, 2021. In addition, Committee to Elect Robert J. Lovero filed a 2020 Year-End Report, which included activity covering the reporting period for the 2020 30 Day Post-General Report, with the Commission on February 10, 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 7<sup>th</sup> day of May, 2021.

*Kristin D. Roser*

---

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

**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 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) A committee not authorized by a candidate shall file a report no later than 30 days after a general election. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time December 3, 2020 for the 2020 Post-General Report to be timely filed.
- 4) A committee not authorized by a candidate shall file a report for the period ending December 31 no later than January 31 of the following calendar year. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time January 31, 2021 for the 2020 Year-End Report to be timely filed.
- 5) 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 Committee to Elect Robert J. Lovero. The report includes the coverage period of July 1, 2020 through September 30, 2020 and was electronically filed on February 13, 2021.
  - b) Cover, Summary, and Detailed Summary Pages of the 2020 Year-End Report filed by Committee to Elect Robert J. Lovero. The report includes the coverage period of October 1, 2020 through December 31, 2020 and was electronically filed on February 10, 2021.
  - c) Form 99 (Miscellaneous Electronic Submission) filed by Committee to Elect Robert J. Lovero on April 15, 2021.
  - d) Form 99 (Miscellaneous Electronic Submission) filed by Committee to Elect Robert J. Lovero on April 27, 2021.
- 6) 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 25<sup>th</sup> day of June, 2021.

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission



# FEC FORM 3X

# REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. **12FE4M5**  
COMMITTEE TO ELECT ROBERT J. LOVERO

ADDRESS (number and street) 2140 S. OAK PARK  
Check if different than previously reported. (ACC) BERWYN IL 60402

2. FEC IDENTIFICATION NUMBER ▼ CITY ▲ STATE ▲ ZIP CODE ▲  
**C** C00743146 3. IS THIS REPORT  NEW (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-Y] in 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] in the State of [ ]

5. Covering Period [07] / [01] / [2020] through [09] / [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.  
Type or Print Name of Treasurer Fellows, Michael, , ,

Signature of Treasurer *Fellows, Michael, , ,* [Electronically Filed] Date [02] / [13] / [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.

**SUMMARY PAGE  
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 05/2016)

Page 2

Write or Type Committee Name

**COMMITTEE TO ELECT ROBERT J. LOVERO**

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

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, <input type="text" value="2020"/>		170910.68
(b) Cash on Hand at Beginning of Reporting Period.....	195592.93	
(c) Total Receipts (from Line 19) .....	133415.00	223800.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B) .....	329007.93	394710.68
7. Total Disbursements (from Line 31) .....	71836.96	137539.71
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) .....	257170.97	257170.97
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

**COMMITTEE TO ELECT ROBERT J. LOVERO**

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

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).....	122545.00	187650.00
(ii) Unitemized .....	7320.00	27350.00
(iii) TOTAL (add Lines 11(a)(i) and (ii).....▶	129865.00	215000.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs).....	3550.00	8800.00
(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5) .....	133415.00	223800.00
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)).....▶	133415.00	223800.00
20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶	133415.00	223800.00

**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)		
(i) Federal Share .....	0.00	0.00
(ii) Non-Federal Share .....	0.00	0.00
(b) Other Federal Operating Expenditures .....	0.00	0.00
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)) .....	0.00	0.00
22. Transfers to Affiliated/Other Party Committees .....	0.00	1900.00
23. Contributions to Federal Candidates/Committees and Other Political Committees .....	0.00	2200.00
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) .....	71836.96	133439.71
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)) ..	71836.96	137539.71
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31) .....	71836.96	137539.71

**DETAILED SUMMARY PAGE**  
of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 5

III. Net Contributions/ Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3) .....	133415.00	223800.00
34. Total Contribution Refunds (from Line 28(d)) .....	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33) .....	133415.00	223800.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)) .....	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3) .....	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36) .....	0.00	0.00





**SUMMARY PAGE**  
**OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 05/2016)

Page 2

Write or Type Committee Name

**COMMITTEE TO ELECT ROBERT J. LOVERO**

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

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, <input type="text" value="2020"/>		<input type="text" value="170910.68"/>
(b) Cash on Hand at Beginning of Reporting Period.....	<input type="text" value="257170.97"/>	
(c) Total Receipts (from Line 19) .....	<input type="text" value="7525.00"/>	<input type="text" value="231325.00"/>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	<input type="text" value="264695.97"/>	<input type="text" value="402235.68"/>
7. Total Disbursements (from Line 31).....	<input type="text" value="45337.04"/>	<input type="text" value="182876.75"/>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	<input type="text" value="219358.93"/>	<input type="text" value="219358.93"/>
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	<input type="text" value="0.00"/>	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	<input type="text" value="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

**COMMITTEE TO ELECT ROBERT J. LOVERO**

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

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).....	6925.00	194575.00
(ii) Unitemized .....	600.00	27950.00
(iii) TOTAL (add Lines 11(a)(i) and (ii)).....▶	7525.00	222525.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	8800.00
(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5) .....	7525.00	231325.00
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)).....▶	7525.00	231325.00
20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶	7525.00	231325.00



**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)		
(i) Federal Share .....	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures .....	0.00	0.00
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)) .....	0.00	0.00
22. Transfers to Affiliated/Other Party Committees.....	1650.00	3550.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	2200.00
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).....	43687.04	177126.75
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)) ..	45337.04	182876.75
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	45337.04	182876.75

DETAILED SUMMARY PAGE  
of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 5

III. Net Contributions/ Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3) .....	7525.00	231325.00
34. Total Contribution Refunds (from Line 28(d)) .....	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33) .....	7525.00	231325.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)) .....	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3).....	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36) .....	0.00	0.00

A-G79 @ B9CI GH9LH fl 97 : cfa --L

COMMITTEE TO ELECT ROBERT J. LOVERO

C00743146

2140 S. OAK PARK

BERWYN

IL 60402

#1. The Committee to Elect Robert J. Lovero did send \$2200 in campaign contributions to federal candidates. It was never the intention of the Committee to Elect Robert J. Lovero to aid or be involved in any federal election activity. Subsequent to these contributions Committee to Elect Robert J. Lovero will not be contributing to federal candidates nor aiding in or getting involved with federal elections. These activities have ceased and will no longer be occurring in the future.

#2. The contributions to the federal candidates that were send, a refund of the contributions were requested from those federal candidates. To date, The Kristine Schanbacher for Congress federal committee has refunded the Committee to Elect Robert J. Lovero the \$1000 contribution. Those papers can be produced if necessary.

#3. It is the intention of the Committee to Elect Robert J. Lovero to terminate this federal committee as soon as possible. The Committee to Elect Robert J. Lovero did not intend to engage in any federal election activity and the Committee to Elect Robert J. Lovero's only intention is to engage in local, county, and township elections. The Committee to Elect Robert J. Lovero will be filing for termination as soon as possible. Should anyone have any additional questions or concerns, I can be reached at (708) 372-2898.

Respectfully Submitted,

Michael Fellows

Treasurer

Committee to Elect Robert J. Lovero

A-G79 @B9CI GH9LH fl 97 : cfa --L

COMMITTEE TO ELECT ROBERT J. LOVERO

C00743146

2140 S. OAK PARK

BERWYN

IL 60402

This a follow-up to a Form 99 that I filed on 04/15/2021.

The contribution of \$1000 sent to the federal candidate, Kristine Schanbacher for Congress was returned to the Committee to Elect Robert J. Lovero on 02/02/2021 through Act Blue. Act Blue order number #AB190370244.

Respectfully Submitted,

Michael Fellows

Treasurer

Committee to Elect Robert J. Lovero

**RECEIVED**

By Office of the Commission Secretary at 10:37 am, Aug 11, 2021

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

August 11, 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# 3938, AF# 4075, and AF# 4131 –  
Committee to Elect Robert J. Lovero and Michael W. Fellows, in their official  
capacity as Treasurer (C00743146)

On January 8, 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 October Quarterly Report and made a preliminary determination that the civil money penalty was \$5,916 based on the schedule of penalties at 11 C.F.R. § 111.43 (AF# 3938). On March 19, 2021, the Commission found 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 \$1,267 based on the schedule of penalties at 11 C.F.R. § 111.43 (AF# 4075). On April 5, 2021, the Commission found RTB that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2020 Year-End Report and made a preliminary determination that the civil money penalty was \$211 based on the schedule of penalties at 11 C.F.R. § 111.43 (AF# 4131).

On February 17, 2021, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated June 25, 2021 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recognized that the Committee may not be required to be registered as a political committee with the Commission. Therefore, the Reviewing Officer recommended that the Committee continue to work with the Reports Analysis Division (“RAD”) to resolve outstanding matters and file a termination report pursuant to 11 C.F.R § 102.3(a)(1) to request the termination of its filing requirements with the Commission. The ROR further noted that the Committee should submit the termination report prior to the Reviewing’s Officer’s Final Determination Recommendation to the Commission, and pending

receipt of the termination report, the Reviewing Officer would recommend that the Commission terminate the proceedings in AF# 3938, AF# 4075, and AF# 4131 in accordance with 11 C.F.R. § 111.37(b) and close the files.

On June 25, 2021, the Committee filed a termination report as recommended in the ROR.<sup>1</sup> RAD has since determined that the Committee has no other outstanding issues which would prevent termination, and the Committee is eligible for termination upon the closure of these matters. Therefore, the Reviewing Officer recommends that the Commission terminate the proceedings in AF# 3938, AF# 4075, and AF# 4131 in accordance with 11 C.F.R. § 111.37(b) and close the files.

### **OAR Recommendations**

1. Terminate the proceedings in AF# 3938 that Committee to Elect Robert J. Lovero and Michael W. Fellows, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
2. Terminate the proceedings in AF# 4075 that Committee to Elect Robert J. Lovero and Michael W. Fellows, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
3. Terminate the proceedings in AF# 4131 that Committee to Elect Robert J. Lovero and Michael W. Fellows, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
4. Send the appropriate letters.

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<sup>1</sup> <https://docquery.fec.gov/pdf/633/202106259450857633/202106259450857633.pdf>

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AFs 3938, 4075 and 4131  
 Final Determination Recommendation: )  
 Committee to Elect Robert J. Lovero and )  
 Michael W. Fellows, in their official capacity )  
 as Treasurer (C00743146) )

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 27, 2021, the Commission decided by a vote of 6-0 to take the following actions in AFs 3938, 4075, and 4131:

1. Terminate the proceedings in AF# 3938 that Committee to Elect Robert J. Lovero and Michael W. Fellows, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file.
2. Terminate the proceedings in AF# 4075 that Committee to Elect Robert J. Lovero and Michael W. Fellows, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file.
3. Terminate the proceedings in AF# 4131 that Committee to Elect Robert J. Lovero and Michael W. Fellows, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file.
4. Send the appropriate letters.

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



Attest:

**Laura e  
Sinram**

Digitally signed by Laura e  
Sinram  
Date: 2021.09.29 15:01:45  
-04'00'

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



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 2021

Michael W. Fellows, in official capacity as Treasurer  
Committee to Elect Robert J. Lovero  
2140 S. Oak Park  
Berwyn, IL 60402

C00743146  
AF# 3938, 4075, 4131

Dear Mr. Fellows:

On January 8, 2021, the Commission found reason to believe (“RTB”) that Committee to Elect Robert J. Lovero 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. By letter dated February 8, 2021, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$5,916 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On March 19, 2021, the Commission found RTB that the respondents violated 52 U.S.C. § 30104(a) for failing to timely 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 \$1,267 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On April 5, 2021, the Commission found RTB that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2020 Post-General Report. By letter dated April 20, 2021, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$211 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On February 17, 2021 and April 27, 2021, the Office of Administrative Review received your written responses challenging the RTB findings.

The Reviewing Officer reviewed the Commission’s RTB findings with its supporting documentation and your written responses. Based on this review, the Reviewing Officer recommended that the Commission terminate the proceedings in AF# 3938, AF# 4075, and AF# 4131 and close the files.

On September 27, 2021, the Commission adopted the Reviewing Officer’s recommendation to terminate the proceedings in AF# 3938, AF# 4075, and AF# 4131 with respect to 52 U.S.C. § 30104(a) and close the files. A copy of the Final Determination Recommendation is attached.



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 this matter, 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,

A handwritten signature in black ink, appearing to read "Shana M. Broussard". The signature is fluid and cursive.

Shana M. Broussard  
Chair