



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

December 13, 2022

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

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

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

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

SUBJECT: Reason To Believe Recommendation – 2022 12-Day Pre-General Report  
(Unauthorized Committees – Monthly Filers) for the Administrative Fine  
Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2022 12-Day Pre-General Report in accordance with 52 U.S.C. § 30104(a). The 12-Day Pre-General Report was due on October 27, 2022 and the General Election was held on November 8, 2022. The list is comprised of unauthorized committees that file monthly.

The committees listed on the attached RTB Circulation Report failed to file the report prior to four (4) days before the General Election (considered a non-filed report). In accordance with the schedule of civil money penalties at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a

preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.

2. Send the appropriate letters.

Federal Election Commission  
Reason to Believe Circulation Report  
2022 PRE-GENERAL Election Sensitive 10/27/2022 UNAUTH\_M

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4484	C00377689	PROSPERITY ACTION, INC.		PAUL MAIR	\$1,317,806	0	11/8/2022	*Not Filed	\$30,604	\$2,093

\* The committee did not file their report prior to four (4) days before the general election; therefore, per 11 C.F.R. 111.43(e), the report is considered to be not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Reason To Believe Recommendation – )  
2022 12-Day Pre-General Report )  
(Unauthorized Committees - Monthly )  
Filers) for the Administrative Fine Program: )

PROSPERITY ACTION, INC., and MAIR, ) AF# 4484  
PAUL as treasurer; )

CERTIFICATION

I, Vicktoria J. Allen, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on December 14, 2022 the Commission took the following actions on the Reason To Believe Recommendation – 2022 12-Day Pre-General Report (Unauthorized Committees - Monthly Filers) for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated December 13, 2022, on the following committees:

AF#4484 Decided by a vote of 5-0 to: (1) find reason to believe that PROSPERITY ACTION, INC., and MAIR, PAUL in their 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, Lindenbaum, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

Federal Election Commission  
Certification for Administrative Fines  
December 14, 2022



Attest:

**Vicktoria J Allen**

Digitally signed by Vicktoria J  
Allen  
Date: 2022.12.14 18:54:26 -05'00'

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Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

January 18, 2023

Paul Mair, in official capacity as Treasurer  
Prosperity Action, Inc.  
101 S Main Street  
Suite 300  
Janesville, WI 53545

C00377689

AF#: 4484  
FINE: \$2,093

Dear Paul Mair,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12-Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period October 1, 2022 through October 19, 2022 shall be filed no later than October 27, 2022. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission (the "Commission" or "FEC") indicate that you did not file this report prior to four (4) days before the General Election held on November 8, 2022, the report is considered not filed for the purpose of calculating the civil money penalty.

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 December 14, 2022, the Commission found that there is reason to believe ("RTB") that Prosperity Action, Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before October 27, 2022. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$2,093. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The FEC's website contains further information about how the administrative fine program works and how the fines are calculated. See <https://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$2,093 is due within forty (40) days of the finding, or by January 23, 2023, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$30,604

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the

PROSPERITY ACTION, INC.

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General Election held on November 8, 2022 are considered not filed for the purpose of calculating the penalty)

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 decide to challenge the RTB finding and/or calculated civil money penalty, you must email a written response to the FEC's Office of Administrative Review at [administrativefines@fec.gov](mailto:administrativefines@fec.gov). 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 January 23, 2023. 11 C.F.R. § 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 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three factors: (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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 111.35(d).

If you fail to timely raise a factual argument in your challenge to the RTB finding, your right to present such an argument in an appeal to the U.S. District Court under 52 U.S.C. § 30109 shall be deemed waived. 11 C.F.R. § 111.38

It should also be noted that all challenges to an RTB finding and/or calculated civil



PROSPERITY ACTION, INC.

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money penalty should be converted to PDF (Portable Document Format) and 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.

In addition, 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 challenging the RTB finding and/or calculated civil money penalty, the FEC will conclude that the factual allegations underlying the RTB finding and/or calculated civil money penalty are true and make a final determination that Prosperity Action, Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, et seq. The Commission 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 C.F.R. § 111.51(a)(2).

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

If you decide to pay the calculated civil money penalty, please follow the payment instructions below. Upon receipt of your payment, the FEC will send you a final determination letter.

You may remit payment by Automated Clearinghouse ("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 at the top of this letter to complete the required fields.

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

PROSPERITY ACTION, INC.

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### **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.

### **Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission will be rejected. This includes making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. 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 C.F.R. § 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/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll-free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,



Dara Lindenbaum  
Chair

PROSPERITY ACTION, INC.

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**From:** [Susan Jacobson](#)  
**To:** [FEC Administrative Fines](#); [administrativefines@fec.gov](mailto:administrativefines@fec.gov)  
**Cc:** [Susan Jacobson](#)  
**Subject:** Re: Challenge the RTB Finding or Civil Money Penalty  
**Date:** Friday, January 27, 2023 10:58:40 AM

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I sent this to the email on the notification, but I believe there was a missing letter, so resending it now

On Fri, Jan 20, 2023 at 11:08 AM Susan Jacobson <[susan@ryanforcongress.com](mailto:susan@ryanforcongress.com)> wrote:

January 20, 2023

FEC

Office of Administrative Review

[administrativefines@fec.gov](mailto:administrativefines@fec.gov)

From:

Prosperity Action Inc

C00377689

AF# 4484

Dear Sir or Madam,

I talked to Ben Holly from the FEC yesterday as he called to let us know we had this fine pending. I had not receive the e-mail, or at least I didn't think I had, but did, once looking for it found it in my spam folder at my current e-mail.

Our Treasurer, Paul Mair, asked me to send a short challenge to the fine based on a couple of items mentioned in your list of extenuating circumstances, and based on the long history of timely filings and communication from us to the FEC.

I had done all the filing for our candidate committee and took over this PAC a few years back. We have been switching each year the frequency of reports and I was not used to doing one prior to the election when I didn't have a candidate in the race. I also had just updated our statement of organization earlier in the day because the email on the report was an old, seldom used e-mail ([susan@easeadvisors.com](mailto:susan@easeadvisors.com)) and I was concerned that I might miss something from the FEC. I'm assuming the first notification must have been sent to that email.

think about the filing because it wasn't a end of quarter

Truthfully I didn't even

Anyway, based on our past communication and filing history, staff family illness, we humbly ask you consider finding in our favor.

Thank you,

***Susan Jacobson***

**Custodian of the Records**

**Prosperity Action Inc.**

**608-290-3893**

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Susan Jacobson  
AIF, PPAC, RFC  
608-290-3893



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 20, 2023

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

AF# 4484 – Prosperity Action, Inc. and Paul Mair, in their official capacity as Treasurer (C00377689)

### **Summary of Recommendation**

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$2,093 civil money penalty.

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

The 2022 Pre-General Report covering October 1 through October 19, 2022 was due on October 27, 2022. On November 8, 2022, the Committee filed the report, 12 days late. The 2022 Pre-General Report is election sensitive. Since the report was not filed prior to four days before the November 8, 2022 General Election, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(2).

On December 14, 2022, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2022 Pre-General Report and made a preliminary determination that the civil money penalty was \$2,093 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was sent to the respondents’ email address of record from the Reports Analysis Division (“RAD”) on January 18, 2023 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 which is filing on a monthly basis must file a pre-election report in any year in which there is a regularly scheduled general election. The report shall be filed no later than the 12th day before the general election. The report shall disclose all receipts and disbursements as of the 20th day before the election. 52 U.S.C. § 30104(a)(4) and 11 C.F.R. § 104.5(c)(3). The Pre-General Report is an election sensitive report pursuant to 11 C.F.R. § 111.43(d)(1). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

## Summary of Respondents' Challenge

On January 20, 2022, the Commission received the written response (“challenge”) from the Committee’s Custodian of Records, Susan Jacobson, requesting the Commission reconsider the penalty. Ms. Jacobson explains the Committee changes its filing frequency annually, and she was not accustomed to filing a Pre-General Report if the candidate was not participating in the election. Ms. Jacobson also explains that relevant FEC notifications were sent to a seldom used email address and notes she has since filed an Amended Statement of Organization to make necessary updates. Ms. Jacobson further mentions that she was consumed with a family health emergency around the time of the filing.

## Analysis

The Custodian of Records contends she was unaware of the Committee’s requirement to file the 2022 Pre-General Report. However, the respondents should have been aware of the reporting requirement. The Committee has filed several Pre-General Reports as a monthly filer since its inception in 2002. In addition, Commission records indicate the Committee was notified of the reporting requirement on multiple occasions prior to the filing deadline.

On January 19, 2022, the Committee notified the Commission of its intent to begin filing on a monthly frequency. On January 25, 2022, RAD sent a notification to susan@easeadvisors.com, the email address listed on the Committee’s Statement of Organization at that time.<sup>1</sup> The notice acknowledged the Committee’s intent to file monthly and detailed the monthly reporting requirements for 2022, including the 2022 Pre-General Report due October 27, 2022. Throughout 2022, the Commission’s Information Division sent emails to the same email address reminding the Committee of its monthly filing requirements.<sup>2</sup> The emails included a link to the Prior Notices on the Commission’s website, all of which detailed the Pre-General Report filing requirement.

On October 7, 2022, the Commission’s Information Division sent the 2022 General Election Prior Notice to susan@easeadvisors.com. The notice included information regarding the requirement to file the 2022 Pre-General Report. On October 24, 2022, the Commission’s Electronic Filing Office (“EFO”) sent a reminder email regarding the 2022 Pre-General Report to susan@easeadvisors.com and susan@ryanforcongress.com. On October 28, 2022, the day following the filing deadline, EFO sent a late notification email to the same email addresses because the report had not yet been filed.

On November 7, 2022, a committee representative contacted RAD regarding the 2022 Pre-General reporting requirement. The RAD Analyst confirmed the Committee was required to file

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<sup>1</sup> The Custodian of Records acknowledges the Committee’s email address of record was seldom used, and she likely missed relevant notifications. The Reviewing Officer notes that a committee must report any change or correction of information contained in its Statement of Organization within 10 days after the change. 11 C.F.R. § 102.2(a)(2). On January 17, 2023, the Committee filed an Amended Statement of Organization to update the email address of record to susan@ryanforcongress.com.

<sup>2</sup> The Committee timely filed all 2022 monthly reports leading up to the Pre-General Report.

the report. On November 8, 2022, the following day, the Committee filed the 2022 Pre-General Report.

The Reviewing Officer confirms the Commission appropriately notified and reminded the Committee of its requirement to file the 2022 Pre-General Report. While sympathetic to the Custodian of Records' personal circumstances, failure to know reporting dates and unavailability of committee staff are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control. The Reviewing Officer also notes that a committee's treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d). 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. § 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 \$2,093 civil money penalty.

### **OAR Recommendations**

- 1) Adopt the Reviewing Officer recommendation for AF# 4484 involving Prosperity Action, Inc. and Paul Mair, in their official capacity as Treasurer in making the final determination;
- 2) Make a final determination in AF# 4484 that Prosperity Action, Inc. and Paul Mair, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$2,093 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 Prosperity Action, Inc.:
  - A) Acknowledgement of Filing Frequency Change, dated January 25, 2022 (sent via electronic mail to: susan@easeadvisors.com);
  - B) Reason-to-Believe Letter, dated January 18, 2023, referencing the 2022 12-Day Pre-General Report (sent via electronic mail to: susan@ryanforcongress.com).
4. I hereby certify that I have searched the Commission’s public records and find that Prosperity Action, Inc. filed the 2022 12-Day Pre-General Report with the Commission on November 8, 2022.
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 17<sup>h</sup> day of March, 2023.

*Kristin D. Roser*

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



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MS-O

January 25, 2022

PAUL MAIR, TREASURER  
PROSPERITY ACTION, INC.  
101 S MAIN STREET SUITE 300  
JANESVILLE, WI 53545

IDENTIFICATION NUMBER: C00377689

REFERENCE: CHANGE TO MONTHLY FILER

Dear Treasurer:

The Commission has received notification of your 1/19/2022 request to change to a Monthly filer of receipts and disbursements.

Please be advised that under Section 104.5(c) of the Commission regulations, a committee may change its filing frequency no more than once per calendar year. Attached is a reporting schedule for the 2022 calendar year.

If you have any questions, please contact Jackie Gausepohl in the Reports Analysis Division on the toll-free number, (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division). Her local number is (202) 694-1277.

Sincerely,

A handwritten signature in black ink that reads "Kristin D. Roser".

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Kristin Roser  
Chief, Compliance Branch  
Reports Analysis Division

**2022 Monthly Filing Schedule**

<b>Report Type</b>	<b>Coverage dates</b>	<b>Due Date</b>
February Monthly	1/1/2022 - 1/31/2022	2/20/2022
March Monthly	2/1/2022 - 2/28/2022	3/20/2022
April Monthly	3/1/2022 - 3/31/2022	4/20/2022
May Monthly	4/1/2022 - 4/30/2022	5/20/2022
June Monthly	5/1/2022 - 5/31/2022	6/20/2022
July Monthly	6/1/2022 - 6/30/2022	7/20/2022
August Monthly	7/1/2022 - 7/31/2022	8/20/2022
September Monthly	8/1/2022 - 8/31/2022	9/20/2022
October Monthly	9/1/2022 - 9/30/2022	10/20/2022
12-Day Pre-General	10/1/2022 - 10/19/2022	10/27/2022
30-Day Post General	10/20/2022 - 11/28/2022	12/8/2022
Year-End	11/29/2022 - 12/31/2022	1/31/2023

**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 political committee not authorized by a candidate which is filing on a monthly basis shall file a pre-election report no later than the 12th day before the general election. The report shall disclose all receipts and disbursements as of the 20th day before the election. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on October 27, 2022 for the 2022 Pre-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) Amended Statement of Organization electronically filed by Prosperity Action, Inc. on August 22, 2019.
  - b) Filing Frequency Change Notice electronically filed by Prosperity Action, Inc. on January 19, 2022.
  - c) Cover, Summary, and Detailed Summary Pages of the 2022 Pre-General Report filed by Prosperity Action, Inc. The report includes the coverage period of October 1, 2022 through October 19, 2022 and was electronically filed on November 8, 2022.
  - d) Amended Statement of Organization electronically filed by Prosperity Action, Inc. on January 17, 2023.
- 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 20th day of March, 2023.

*Rhiannon Magruder*  
\_\_\_\_\_  
Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

# FEC FORM 1

# STATEMENT OF ORGANIZATION

Office Use Only

1. NAME OF COMMITTEE (in full)  (Check if name is changed) Example: If typing, type over the lines.

12FE4M5

Prosperity Action, Inc.

ADDRESS (number and street)

101 S Main Street

(Check if address is changed)

Suite 300

Janesville

CITY ▲

WI

STATE ▲

53545

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

(Check if address is changed)

Susan@easeadvisors.com

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address is changed)

2. DATE

08 / 22 / 2019

3. FEC IDENTIFICATION NUMBER ▶

C C00377689

4. IS THIS STATEMENT

NEW (N)

OR

AMENDED (A)

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

Type or Print Name of Treasurer Mair, Paul, , ,

Signature of Treasurer

Mair, Paul, , ,

[Electronically Filed]

Date

08 / 22 / 2019

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office Use Only

For further information contact: Federal Election Commission Toll Free 800-424-9530 Local 202-694-1100

FEC FORM 1 (Revised 06/2012)

5. TYPE OF COMMITTEE

Candidate Committee:

- (a)  This committee is a principal campaign committee. (Complete the candidate information below.)
- (b)  This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate \_\_\_\_\_

Candidate Party Affiliation:  \_\_\_\_\_

Office Sought:  House  Senate  President

State:  District:

- (c)  This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate \_\_\_\_\_

Party Committee:

- (d)  This committee is a  (National, State or subordinate) committee of the  (Democratic, Republican, etc.) Party.

Political Action Committee (PAC):

- (e)  This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
  - Corporation  Corporation w/o Capital Stock  Labor Organization
  - Membership Organization  Trade Association  Cooperative
  - In addition, this committee is a Lobbyist/Registrant PAC.
- (f)  This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
  - In addition, this committee is a Lobbyist/Registrant PAC.
  - In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

Joint Fundraising Representative:

- (g)  This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h)  This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

1. \_\_\_\_\_ FEC ID number
2. \_\_\_\_\_ FEC ID number
3. \_\_\_\_\_ FEC ID number
4. \_\_\_\_\_ FEC ID number

Write or Type Committee Name

# Prosperity Action, Inc.

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Ryan, Paul, , Rep.,

Mailing Address 1006 Pendleton St.

Alexandria

VA

22314

CITY

STATE

ZIP CODE

Relationship:  Connected Organization  Affiliated Committee  Joint Fundraising Representative  Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name Jacobson, Susan, , ,

Mailing Address 101 S Main Street

Suite 300

Janesville

WI

53545

Title or Position

CITY

STATE

ZIP CODE

Finance Director

Telephone number 608 - 754 - 8099

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer Mair, Paul, , ,

Mailing Address 101 S Main Street

Suite 300

Janesville

WI

53545

CITY

STATE

ZIP CODE

Title or Position Treasurer

Telephone number 608 - 754 - 8099

Full Name of Designated Agent

Livingston, Jeff, , ,

Mailing Address

1006 Pendleton St.

Alexandria

VA

22314

CITY

STATE

ZIP CODE

Title or Position

Assistant Treasurer

Telephone number

703

683

6703

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Burke & Herbert Bank & Trust

Mailing Address

100 S Fairfax St

Alexandria

VA

22314

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

Suntrust Bank

Mailing Address

919 East Main Street

Richmond

VA

23219

CITY

STATE

ZIP CODE



Optional Supplemental Information for Lines 5(g) or (h), 6, 8 and/or 9

5(g) or (h). Joint Fundraising Participant:

1.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
2.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
3.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
4.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Ryan for Congress, Inc.

Mailing Address

Relationship: CITY ▲ STATE ▲ ZIP CODE ▲

Connected Organization  Affiliated Committee  Joint Fundraising Representative  Leadership PAC Sponsor

8. Designated Agent: Identify by name, address (phone number – optional)

Full Name

Mailing Address

TITLE OR POSITION ▼ CITY ▲ STATE ▲ ZIP CODE ▲

Telephone Number --

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Mailing Address

CITY ▲ STATE ▲ ZIP CODE ▲

Optional Supplemental Information for Lines 5(g) or (h), 6, 8 and/or 9

5(g) or (h). Joint Fundraising Participant:

1.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
2.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
3.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
4.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Ryan Prosperity Action, Inc.

Mailing Address

CITY ▲  STATE ▲  ZIP CODE ▲

Relationship:  Connected Organization  Affiliated Committee  Joint Fundraising Representative  Leadership PAC Sponsor

8. Designated Agent: Identify by name, address (phone number – optional)

Full Name

Mailing Address

TITLE OR POSITION ▼  CITY ▲  STATE ▲  ZIP CODE ▲

Telephone Number

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Mailing Address

CITY ▲  STATE ▲  ZIP CODE ▲

Optional Supplemental Information for Lines 5(g) or (h), 6, 8 and/or 9

5(g) or (h). Joint Fundraising Participant:

1.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
2.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
3.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
4.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Mailing Address

Relationship: CITY ▲ STATE ▲ ZIP CODE ▲

Connected Organization  Affiliated Committee  Joint Fundraising Representative  Leadership PAC Sponsor

8. Designated Agent: Identify by name, address (phone number – optional)

Full Name

Mailing Address

TITLE OR POSITION ▼ CITY ▲ STATE ▲ ZIP CODE ▲

Telephone Number --

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Mailing Address

CITY ▲ STATE ▲ ZIP CODE ▲

**MISCELLANEOUS TEXT (FEC Form 99)**

NAME OF COMMITTEE (In Full)

FEC IDENTIFICATION NUMBER

Prosperity Action Inc.

C00377689

Mailing Address 101 S Main St Ste 300

City	State	ZIP Code
Janesville	WI	53545

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

Re: Committee Filing Frequency

To Whom It May Concern:

We would like to change our filing frequency from semi-annual to monthly reporting going forward. We would like this change to take effect starting January 2022. Thank you for your cooperation in this matter.

Sincerely,

Prosperity Action Inc.  
Committee ID C00377689

# FEC FORM 1

# STATEMENT OF ORGANIZATION

Office Use Only

1. NAME OF COMMITTEE (in full)  (Check if name is changed) Example: If typing, type over the lines. 12FE4M5

Prosperity Action, Inc.

ADDRESS (number and street) 101 S Main Street  
 (Check if address is changed) Suite 300  
Janesville WI 53545  
CITY ▲ STATE ▲ ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS  
 (Check if address is changed) Susan@ryanforcongress.com

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)  
 (Check if address is changed)

2. DATE 01 / 17 / 2023

3. FEC IDENTIFICATION NUMBER ▶ C C00377689

4. IS THIS STATEMENT  NEW (N) OR  AMENDED (A)

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

Type or Print Name of Treasurer Mair, Paul, , ,

Signature of Treasurer Mair, Paul, , , [Electronically Filed] Date 01 / 17 / 2023

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 52 U.S.C. §30109. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

5. TYPE OF COMMITTEE:

**Candidate Committee:**

- (a)  This committee is a principal campaign committee. (Complete the candidate information below.)
- (b)  This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate \_\_\_\_\_

Candidate Party Affiliation  Office Sought:  House  Senate  President State  District

- (c)  This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate \_\_\_\_\_

**Party Committee:**

- (d)  This committee is a  (National, State or subordinate) committee of the  (Democratic, Republican, etc.) Party

**Political Action Committee (PAC):**

- (e)  This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:

- Corporation  Corporation w/o Capital Stock  Labor Organization
- Membership Organization  Trade Association  Cooperative

In addition, this committee is a Lobbyist/Registrant PAC.

- (f)  This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)

In addition, this committee is a Lobbyist/Registrant PAC.

In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

- (g)  This committee is an independent expenditure-only political committee (Super PAC).

In addition, this committee is a Lobbyist/Registrant PAC.

- (h)  This committee is a political committee with both contribution and non-contribution accounts (Hybrid PAC).

In addition, this committee is a Lobbyist/Registrant PAC.

**Joint Fundraising Representative:**

- (i)  This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (j)  This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

Write or Type Committee Name

Prosperity Action, Inc.

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor
Ryan, Paul, , Rep.,

Empty grid lines for name details

Mailing Address: 101 S Main St, Suite 300, Janesville, WI 53545

Relationship: [ ] Connected Organization [ ] Affiliated Organization [ ] Joint Fundraising Representative [x] Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name: Jacobson, Susan, , , Mailing Address: 101 S Main Street, Suite 300, Janesville, WI 53545

Title or Position: Finance Director Telephone number: 608-290-3893

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer: Mair, Paul, , , Mailing Address: 101 S Main Street, Suite 300, Janesville, WI 53545

Title or Position: Treasurer Telephone number: 608-754-8099

Full Name of Designated Agent

[Grid for Full Name of Designated Agent]

Mailing Address

[Grid for Mailing Address Line 1]

[Grid for Mailing Address Line 2]

[Grid for Mailing Address Line 3]

CITY ▲

STATE ▲

ZIP CODE ▲

Title or Position ▼

[Grid for Title or Position]

Telephone number

[Grid for Telephone number]

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Johnson Bank

[Grid for Name of Bank, Depository, etc.]

Mailing Address

[Grid for Mailing Address Line 1: 1 S Main Street]

[Grid for Mailing Address Line 2]

[Grid for Mailing Address Line 3: Janesville WI 53545]

CITY ▲

STATE ▲

ZIP CODE ▲

Name of Bank, Depository, etc.

[Grid for Name of Bank, Depository, etc.]

Mailing Address

[Grid for Mailing Address Line 1]

[Grid for Mailing Address Line 2]

[Grid for Mailing Address Line 3]

CITY ▲

STATE ▲

ZIP CODE ▲



Optional Supplemental Information for Lines 5(g) or (h), 6, 8 and/or 9

5(g) or (h). Joint Fundraising Participant:

1.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
2.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
3.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
4.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Ryan for Congress, Inc.

Mailing Address

Relationship: CITY ▲ STATE ▲ ZIP CODE ▲

Connected Organization  Affiliated Committee  Joint Fundraising Representative  Leadership PAC Sponsor

8. Designated Agent: Identify by name, address (phone number – optional)

Full Name

Mailing Address

TITLE OR POSITION ▼ CITY ▲ STATE ▲ ZIP CODE ▲

Telephone Number --

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Mailing Address

CITY ▲ STATE ▲ ZIP CODE ▲

# 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**  
Prosperity Action Inc.

ADDRESS (number and street) 101 S Main St Ste 300  
Check if different than previously reported. (ACC) Janesville WI 53545

2. FEC IDENTIFICATION NUMBER ▼ CITY ▲ STATE ▲ ZIP CODE ▲  
**C** C00377689 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 [10] / [01] / [2022] through [10] / [19] / [2022]

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

Signature of Treasurer Mair, Paul, , , [Electronically Filed] Date [11] / [08] / [2022]

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

**Prosperity Action Inc.**

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

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, <input type="text" value="2022"/>		464204.30
(b) Cash on Hand at Beginning of Reporting Period.....	293607.99	
(c) Total Receipts (from Line 19) .....	7913.87	101792.26
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B) .....	301521.86	565996.56
7. Total Disbursements (from Line 31) .....	22691.03	287165.73
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) .....	278830.83	278830.83
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	

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

**For further information contact:**

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

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

**DETAILED SUMMARY PAGE**  
of Receipts

FEC Form 3X (Rev. 05/2016)

Page 3

Write or Type Committee Name  
**Prosperity Action Inc.**

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).....	0.00	11000.00
(ii) Unitemized .....	125.00	125.00
(iii) TOTAL (add Lines 11(a)(i) and (ii).....▶	125.00	11125.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5) .....	125.00	11125.00
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	18.60
16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....	5000.00	17000.00
17. Other Federal Receipts (Dividends, Interest, etc.).....	2788.87	73648.66
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)).....▶	7913.87	101792.26
20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶	7913.87	101792.26



**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 .....	9691.03	205165.73
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)) .....	9691.03	205165.73
22. Transfers to Affiliated/Other Party Committees.....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	13000.00	82000.00
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)) ..	22691.03	287165.73
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	22691.03	287165.73

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) .....	125.00	11125.00
34. Total Contribution Refunds (from Line 28(d)) .....	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33) .....	125.00	11125.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)) .....	9691.03	205165.73
37. Offsets to Operating Expenditures (from Line 15, page 3) .....	0.00	18.60
38. Net Operating Expenditures (subtract Line 37 from Line 36) .....	9691.03	205147.13



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 21, 2023

Paul Mair, in official capacity as Treasurer  
Prosperity Action, Inc.  
101 South Main Street, Suite 300  
Janesville, WI 53545

C00377689  
AF# 4484

Dear Treasurer:

On December 14, 2022, the Federal Election Commission (“the Commission”) found reason to believe (“RTB”) that Prosperity Action, Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2022 Pre-General Report. The Commission also made a preliminary determination that the civil money penalty was \$2,093 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. All written responses and supporting documentation should be converted to PDF (Portable Document Format) and must be emailed to the Commission Secretary at [secretary@fec.gov](mailto:secretary@fec.gov). The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted responses will be deemed received on the date it is electronically received by staff. Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer’s recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

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

Sincerely,

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review

**RECEIVED**

By Office of the Commission Secretary at 10:23 am, Apr 12, 2023

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

April 12, 2023

**MEMORANDUM**

To: The Commission

Through: Alec Palmer *AP*  
Staff Director

From: Patricia C. Orrock *RM* for  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 4484 – Prosperity Action, Inc. and Paul Mair, in their official capacity as Treasurer (C00377689)

On December 14, 2022, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2022 Pre-General Report and made a preliminary determination that the civil money penalty was \$2,093 based on the schedule of penalties at 11 C.F.R. § 111.43. On January 20, 2023, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated March 20, 2023 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference.

The Reviewing Officer confirmed the Commission appropriately notified and reminded the Committee of its requirement to file the 2022 Pre-General Report. While sympathetic to the Custodian of Records’ personal circumstances, failure to know reporting dates and unavailability of committee staff are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents’ control. The Reviewing Officer also noted that a committee’s treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d). Their challenge failed 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. § 111.35(b). 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 \$2,093 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). The Committee has since paid the recommended civil money penalty of \$2,093.

### **OAR Recommendations**

- 1) Adopt the Reviewing Officer recommendation for AF# 4484 involving Prosperity Action, Inc. and Paul Mair, in their official capacity as Treasurer in making the final determination;
- 2) Make a final determination in AF# 4484 that Prosperity Action, Inc. and Paul Mair, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$2,093 civil money penalty; and
- 3) Send the appropriate letter.

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 4484  
 Final Determination Recommendation - )  
 Prosperity Action, Inc. and Paul Mair, in )  
 their official capacity as Treasurer )  
 (C00377689) )

CERTIFICATION

I, Vicktoria J. Allen, Deputy Secretary of the Federal Election

Commission, do hereby certify that on April 19, 2023, the Commission decided

by a vote of 5-0 to take the following actions in AF 4484:

1. Adopt the Reviewing Officer recommendation for AF# 4484 involving Prosperity Action, Inc. and Paul Mair, in their official capacity as Treasurer in making the final determination.
2. Make a final determination in AF# 4484 that Prosperity Action, Inc. and Paul Mair, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$2,093 civil money penalty.
3. Send the appropriate letter.

Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub

voted affirmatively for the decision. Commissioner Dickerson did not vote.

Attest:

**Vicktoria J  
Allen**

Digitally signed by Vicktoria J  
Allen  
Date: 2023.04.19 17:08:42  
-04'00'



\_\_\_\_\_  
 Vicktoria J. Allen  
 Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 16, 2023

Paul Mair, in official capacity as Treasurer  
Prosperity Action, Inc.  
101 S Main Street  
Suite 300  
Janesville, WI 53545

C00377689  
AF# 4484  
\$2,093

Dear Paul Mair:

On December 14, 2022, the Federal Election Commission (the “Commission” or “FEC”) found reason to believe (“RTB”) that Prosperity Action, Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2022 Pre-General Report. By letter dated January 18, 2023, the Commission sent notification of the RTB finding that included a civil money penalty calculated at \$2,093 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On January 20, 2023, 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 Prosperity Action, Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$2,093 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on March 21, 2023.

On April 19, 2023, the Commission adopted the Reviewing Officer’s recommendation and made a final determination that Prosperity Action, Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assessed a civil money penalty in the amount of \$2,093. A copy of the Final Determination Recommendation is attached.

On March 22, 2023, the Commission received your payment of \$2,093.

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 thirty (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. 1158) or (202) 694-1158.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read 'Dara Lindenbaum', with a stylized flourish extending to the right.

Dara Lindenbaum  
Chair