

RECEIVED

By Office of the Commission Secretary at 10:37 am, Oct 01, 2024

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

October 1, 2024

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*
Compliance Branch

SUBJECT: Reason to Believe Recommendation –
Failure to File 48-Hour Notices under the Administrative Fine Program

Attached is the name of a principal campaign committee that has failed to file 48-hour notices with the Commission for contributions of \$1,000.00 or more received from the close of books for the New Jersey 2024 12-Day Pre-Primary Report up to 48 hours before the June 4, 2024 Primary Election in accordance with 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(f). The committee, Khairullah for Congress, represents a candidate who lost the Primary Election. The committee is being referred for failing to file 48-hour notices for contributions totaling \$97,250.00.

A 48-hour notice is required to report all contributions of a \$1,000.00 or more, to any authorized committee of a candidate, including contributions from the candidate, loans from the candidate and other non-bank sources and endorsements or guarantees of loans from banks, as per 11 C.F.R. § 104.5(f).

We have attached an information sheet which includes the contributor name, date of receipt and amount of the contributions for which a 48-hour notice was not filed.

In accordance with the schedule of civil money penalties outlined within 11 C.F.R. § 111.44, this committee should be assessed the civil money penalty so indicated.

Recommendation

1. Find reason to believe that Khairullah for Congress and Pricilla Nunez, in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that a civil money penalty of \$10,793 be assessed.
2. Send the appropriate letter.

Attachment

Contributions for Which a 48-Hour Notice Was Not Received**AF 4776****Committee ID: C00872598****Committee Name: Khairullah for Congress****Report Type: July Quarterly Report (5/16/2024 – 6/30/2024)****48-Hour Reporting Period: 5/16/2024 – 6/1/2024**

CONTRIBUTOR	DATE	AMOUNT
ALSHIKH, SHAHAMAH	5/16/24	\$1,000.00
PATEL, ARIF	5/16/24	\$1,000.00
ABUDHABA, AREF	5/17/24	\$3,300.00
M AND L MEAT MARKET LLC	5/17/24	\$2,000.00
RASHEED, FOUAD	5/17/24	\$1,000.00
ABDELAZIZ, ALAM	5/18/24	\$1,000.00
AHMAD, TAWFIK	5/18/24	\$1,800.00
AHMED, MUTAHAR	5/18/24	\$1,200.00
ALHADDAWI, ANWAR	5/18/24	\$1,000.00
ATTILI, ZAHER	5/18/24	\$3,300.00
ATTILI, ZAHLED	5/18/24	\$1,500.00
FAHMY, IBRAHIM	5/18/24	\$1,000.00
FLAT FEE MOVING & TRUCKING	5/18/24	\$1,000.00
HABIBI SMOKE SHOP II LLC	5/18/24	\$1,000.00
HAQUE, MOHAMMED	5/18/24	\$2,250.00
HUZIEN, DIANE	5/18/24	\$3,300.00
KANAN, KANAN	5/18/24	\$1,000.00
MOHEISEN, YOUNIS	5/18/24	\$5,000.00
SABER, MOHAMMED	5/18/24	\$2,000.00
SHEIKS FAMILY FITNESS	5/18/24	\$1,000.00
SULEIMAN, AHMAD	5/18/24	\$1,000.00
SUQI, OTHMAN	5/18/24	\$3,300.00
ALI, ELSAYED	5/19/24	\$2,000.00
AYMAN, JUBRAN	5/19/24	\$3,300.00
DENTAL AESTHETICS LLC	5/19/24	\$1,000.00
HEBA, ABDULLA	5/19/24	\$1,000.00
HUSSEIN, ASSALLUM	5/19/24	\$1,000.00
MAGED, HAMAD	5/19/24	\$1,000.00
MAZEN, BEDRI	5/19/24	\$1,000.00
RASHID, BAEIRA	5/19/24	\$1,000.00
SAMI, ABUNASRA	5/19/24	\$3,300.00
YASIR, MOHMOUD	5/19/24	\$1,000.00

ADVANCED PROFESSIONAL GENERAL CONTRACTING	5/20/24	\$3,000.00
BASHIR, TARIQ	5/20/24	\$1,000.00
KHAF, AHMAD	5/20/24	\$3,300.00
KHAN, ASIF	5/20/24	\$1,000.00
SULEIMAN, NUHA	5/20/24	\$1,000.00
SYED, YAZDANI	5/20/24	\$1,000.00
CHANDLER PHARMACY LLC	5/22/24	\$3,300.00
KOPIC, MARIO	5/22/24	\$1,000.00
MAIN STREET RX LLC	5/22/24	\$1,000.00
ALAYOUBI, MOHAMAD	5/23/24	\$1,000.00
GABER, AKRAM	5/25/24	\$3,000.00
ABDUL, ZANABLI	5/26/24	\$1,000.00
AHMAD, MAATOUK	5/26/24	\$2,000.00
AMJAD, BAHNASSI	5/26/24	\$1,500.00
AREF, RIFAI	5/26/24	\$2,000.00
BASSEL, ATASSI	5/26/24	\$1,000.00
EDNAN, SHEIKH	5/26/24	\$3,300.00
KHATTAB, ABUATTIEH	5/26/24	\$1,000.00
LOCATION, ALHABBAL	5/26/24	\$1,000.00
MAMOUN, ABDOH	5/26/24	\$1,000.00
MOHAMMAD, KHAMIS	5/26/24	\$1,500.00
SHAMIQ, SYED	5/26/24	\$1,500.00
TAHER, SHRITEH	5/26/24	\$3,300.00
ABUROMI, MAHMOUD	5/28/24	\$1,000.00
KHATIB, ZAYNAB	6/1/24	\$1,000.00
	TOTAL	\$97,250.00

Proposed Civil Money Penalty: \$10,793 ((6 Notices Not Timely Filed at \$178 each) + (10% of the Overall Contributions Not Reported))

Federal Election Commission
Reason to Believe Circulation Report
48-Hour Notification Report

9/30/2024 10:32 AM

AF#	Committee ID	Committee Name	State	Election	Candidate Name	Treasurer	Prev Violations	Notices Not Filed	LOA	Penalty
4776	C00872598	KHAIRULLAH FOR CONGRESS	NJ	Primary	MOHAMED T. KHAIRULLAH	PRICILLA NUNEZ	0	6	\$97,250	\$10,793

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 4776
 Reason to Believe Recommendation -)
 Failure to File 48-Hour Notices under the)
 Administrative Fine Program: Khairullah)
 for Congress and Pricilla Nunez, in their)
 official capacity as treasurer)

CERTIFICATION

I, Vicktoria J. Allen, Deputy Secretary of the Federal Election
 Commission, do hereby certify that on October 02, 2024, the Commission
 decided by a vote of 6-0 to take the following actions in AF 4776:

Find reason to believe that Khairullah for Congress and Pricilla
 Nunez, in their official capacity as treasurer, violated 52 U.S.C.
 § 30104(a) and make a preliminary determination that a civil money
 penalty of \$10,793 be assessed.

1. Send the appropriate letter.

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

Attest:

**Vicktoria J
 Allen**

Digitally signed by Vicktoria J
 Allen
 Date: 2024.10.03 18:10:23
 -04'00'



Vicktoria J. Allen
 Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

AF

October 4, 2024

Pricilla Nunez, in official capacity as Treasurer
Khairullah for Congress
P.O.Box 732
254 Palisades Ave
Garfield, NJ 07206

C00872598
AF#: 4776
FINE: \$10,793

Dear Pricilla Nunez,

The Federal Election Campaign Act of 1971, as amended, 52 U.S.C. § 30101, et seq. ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing the Federal Election Commission (the "Commission" or "FEC") and the Secretary of State, as appropriate, of any contribution of \$1,000 or more, received by any authorized committee of the candidate after the 20th day, but more than 48 hours before, any election. 52 U.S.C. § 30104(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. These notification requirements are in addition to all other reporting requirements. 52 U.S.C. § 30104(a). Our records indicate that Khairullah for Congress did not submit 48-Hour Notices for contributions of \$1,000 or more, received between May 16, 2024 and June 1, 2024, totaling \$97,250, as required by 52 U.S.C. § 30104(a)(6)(A). Attachment 1.

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 October 2, 2024, the Commission found that there is Reason to Believe ("RTB") that Khairullah for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file the 48-Hour Notices. Based on the FEC's schedule of civil money penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at the RTB stage is \$10,793. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 2. The FEC's website contains further information about how the administrative fine program works and how the fines are calculated. <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. The amount of the civil money penalty is \$178 for each non-filed notice plus 10 percent of the dollar amount of the contributions not timely reported. The civil money penalty increases by 25 percent for each prior violation. Send your payment of \$10,793 within forty (40) days of the

KHAIRULLAH FOR CONGRESS

Page 2 of 4

finding, or by November 11, 2024.

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. 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 November 11, 2024. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three 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 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).

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 CFR § 111.38.

It should also be noted that, all challenges to an RTB finding and/or calculated civil money penalty should be converted to Portable Document Format ("PDF") and emailed to administrativefines@fec.gov. The Commission encourages the use of electronic

KHAIRULLAH FOR CONGRESS

Page 3 of 4

signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted challenges will be deemed received on the date they are 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 are true and make a final determination that Khairullah for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

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

KHAIRULLAH FOR CONGRESS

Page 4 of 4

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 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 <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Jacqueline Gausepohl on the toll-free number, (800) 424-9530 (at the prompt, press 5 to reach the Reports Analysis Division) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review on the 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, reading "Sean J. Cooksey". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Sean J. Cooksey
Chairman

Contributions for Which a 48-Hour Notice Was Not Received**AF 4776****Committee ID: C00872598****Committee Name: Khairullah for Congress****Report Type: July Quarterly Report (5/16/2024 – 6/30/2024)****48-Hour Reporting Period: 5/16/2024 – 6/1/2024**

CONTRIBUTOR	DATE	AMOUNT
ALSHIKH, SHAHAMAH	5/16/24	\$1,000.00
PATEL, ARIF	5/16/24	\$1,000.00
ABUDHABA, AREF	5/17/24	\$3,300.00
M AND L MEAT MARKET LLC	5/17/24	\$2,000.00
RASHEED, FOUAD	5/17/24	\$1,000.00
ABDELAZIZ, ALAM	5/18/24	\$1,000.00
AHMAD, TAWFIK	5/18/24	\$1,800.00
AHMED, MUTAHAR	5/18/24	\$1,200.00
ALHADDAWI, ANWAR	5/18/24	\$1,000.00
ATTILI, ZAHER	5/18/24	\$3,300.00
ATTILI, ZAHLED	5/18/24	\$1,500.00
FAHMY, IBRAHIM	5/18/24	\$1,000.00
FLAT FEE MOVING & TRUCKING	5/18/24	\$1,000.00
HABIBI SMOKE SHOP II LLC	5/18/24	\$1,000.00
HAQUE, MOHAMMED	5/18/24	\$2,250.00
HUZIEN, DIANE	5/18/24	\$3,300.00
KANAN, KANAN	5/18/24	\$1,000.00
MOHEISEN, YOUNIS	5/18/24	\$5,000.00
SABER, MOHAMMED	5/18/24	\$2,000.00
SHEIKS FAMILY FITNESS	5/18/24	\$1,000.00
SULEIMAN, AHMAD	5/18/24	\$1,000.00
SUQI, OTHMAN	5/18/24	\$3,300.00
ALI, ELSAYED	5/19/24	\$2,000.00
AYMAN, JUBRAN	5/19/24	\$3,300.00
DENTAL AESTHETICS LLC	5/19/24	\$1,000.00
HEBA, ABDULLA	5/19/24	\$1,000.00
HUSSEIN, ASSALLUM	5/19/24	\$1,000.00
MAGED, HAMAD	5/19/24	\$1,000.00
MAZEN, BEDRI	5/19/24	\$1,000.00
RASHID, BAEIRA	5/19/24	\$1,000.00
SAMI, ABUNASRA	5/19/24	\$3,300.00
YASIR, MOHMOUD	5/19/24	\$1,000.00

ADVANCED PROFESSIONAL GENERAL CONTRACTING	5/20/24	\$3,000.00
BASHIR, TARIQ	5/20/24	\$1,000.00
KHAF, AHMAD	5/20/24	\$3,300.00
KHAN, ASIF	5/20/24	\$1,000.00
SULEIMAN, NUHA	5/20/24	\$1,000.00
SYED, YAZDANI	5/20/24	\$1,000.00
CHANDLER PHARMACY LLC	5/22/24	\$3,300.00
KOPIC, MARIO	5/22/24	\$1,000.00
MAIN STREET RX LLC	5/22/24	\$1,000.00
ALAYOUBI, MOHAMAD	5/23/24	\$1,000.00
GABER, AKRAM	5/25/24	\$3,000.00
ABDUL, ZANABLI	5/26/24	\$1,000.00
AHMAD, MAATOUK	5/26/24	\$2,000.00
AMJAD, BAHNASSI	5/26/24	\$1,500.00
AREF, RIFAI	5/26/24	\$2,000.00
BASSEL, ATASSI	5/26/24	\$1,000.00
EDNAN, SHEIKH	5/26/24	\$3,300.00
KHATTAB, ABUATTIEH	5/26/24	\$1,000.00
LOCATION, ALHABBAL	5/26/24	\$1,000.00
MAMOUN, ABDOH	5/26/24	\$1,000.00
MOHAMMAD, KHAMIS	5/26/24	\$1,500.00
SHAMIQ, SYED	5/26/24	\$1,500.00
TAHER, SHRITEH	5/26/24	\$3,300.00
ABUROMI, MAHMOUD	5/28/24	\$1,000.00
KHATIB, ZAYNAB	6/1/24	\$1,000.00
	TOTAL	\$97,250.00

Proposed Civil Money Penalty: \$10,793 ((6 Notices Not Timely Filed at \$178 each) + (10% of the Overall Contributions Not Reported))

To Chairman Cooksey and the FEC's Office of Administrative Review:

I am writing to formally challenge the recent civil money penalty assessed against Khairullah for Congress, which was based on the alleged failure to timely file the required report (AF #4776). I assert that the circumstances of my case align with the FEC's consideration of best efforts, as outlined in 11 CFR § 111.35(b).

My challenge is based on two key points:

Miscommunication and Absence of Notification: It has come to my recent attention that there were 3 letters sent on Aug 12, 2024 requesting additional information in the reports: 12-Day Pre-Primary, April and July Quarterlies. Those letters were addressed to me but were not emailed to me, hence I did not receive the email notification of warnings to amend or rectify the errors.

This absence of notification was reasonably unforeseen and beyond my control, as I depend on timely notifications for compliance and did not anticipate any error or issue in receiving them. Had I received the emails as the treasurer named on the campaign, I would have taken immediate action to remedy any delay within the required timeline. All correspondence from the commission has been sent to my email: priscillainunez@gmail.com (April 10 and 24, May 20, July 10 to name a few) except those three letters that were crucial. All in all, I was not afforded proper notification to resolve the issues by not receiving the 3 warning letters (on Aug 12) either through email or letter to the address on file for the treasurer which the commission has on file.

Demonstrated Best Efforts in Compliance: On 10/25 (this morning) I called the commission to seek clarity in paying the fine (as I thought that was the only outstanding obligation left to terminate the report). In a follow-up call, I was informed that there was pending business that would not allow for successful termination just yet. To my surprise, I was told of the 3 letters which I mentioned above with response for action due by 9/16 (which I have already shared I was never emailed or contacted about). Had I been sent these letters, I would have been able to comply, respond in a more adequate time, and ideally not have a fine assessed as I would have taken serious heed to the commission's requests.

I also want to share that the letter I was sent through email outlining the fine assessed of ~\$10,700 on 10/7 was sent to a personal email that is *not* registered for this campaign. I respectfully question why there is a discrepancy in communication, choice of email addresses, and individuals the commission's letters are being sent out to.

Despite this confusion, and upon notice of this information, I immediately sought coverage for my classes (I am a public school teacher and this is incredibly difficult to do the day of request) and began investigating, calling the offices necessary and in full mode to resolve all pending

requests. Within 5 hours of knowing this information, I have been intensely responding and figuring out what needs to be done and putting pieces of information together that I was not given any earlier.

I humbly ask for your re-consideration of this fine, as the circumstances leading to the delay were both unforeseen and out of my control. I acted swiftly upon learning of the issue and have taken initiative to resolve and will begin amending all reports today.

Sincerely,

Priscilla Nunez



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

December 19, 2024

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

AF# 4776 – Khairullah for Congress and Pricilla Nunez¹, in their official capacity as Treasurer (C00872598)

Summary of Recommendation

Terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file.

Reason-to-Believe Background

In connection with the 2024 New Jersey Primary Election held on June 4, 2024, the respondents were required to file 48-Hour Notices of Contributions/Loans (“48-Hour Notices”) for contributions of \$1,000 or more received between May 16, 2024 and June 1, 2024.

On October 2, 2024, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for contributions totaling \$97,250 and made a preliminary determination that the civil money penalty was \$10,793 based on the schedule of penalties at 11 C.F.R. § 111.44. A letter was sent to the respondents’ email addresses of record from the Reports Analysis Division (“RAD”) on October 4, 2024 to notify them of the Commission’s RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act (“Act”) requires that the principal campaign committee of a candidate notify the Commission, in writing, of any contribution of \$1,000 or more received after the 20th day but more than 48 hours before an election. The principal campaign committee must notify the Commission within 48 hours of receipt of the contribution. The 48-hour notification shall be in addition to all other reporting requirements under the Act. 52 U.S.C. § 30104(a)(6)(A) and 11 C.F.R. § 104.5(f). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents’ Challenge

On October 25, 2024, the Commission received the written response (“challenge”) from the Treasurer stating she only received Commission notifications sent to

¹ Commission records suggest the Treasurer’s first name is misspelled on the Committee’s Statement of Organization ([FEC Form 1](#)). The Committee shall file an amended FEC Form 1 to correct the spelling of Priscilla Nunez.

priscillanunez@gmail.com. After receiving the RTB notification in this matter, the Treasurer called the FEC to discuss payment in an attempt to terminate the Committee. During this conversation, she was informed that the Committee has other outstanding issues which would prevent termination. The Treasurer was unaware of the other issues because she did not receive the related notifications. The Treasurer questions why only some of the Commission's notifications were sent to priscillanunez@gmail.com and states that had she received proper notification, she would have taken immediate action to remedy the issues.

Analysis

The Treasurer indicates she did not receive all Commission email notifications and was not given proper notice to adequately respond to the Committee's outstanding issues. The Reviewing Officer notes that Commission email notifications shall be sent to a committee's official email address(es) as disclosed on a committee's Statement of Organization (FEC Form 1). On March 8, 2024, the Committee filed an FEC Form 1 disclosing the Committee's official email addresses as mk4congress@gmail.com and mtaher@prodigy.net. To date, the Committee has not filed an amended FEC Form 1 to disclose a change in its official email addresses.²

The Reviewing Officer confirms that RAD appropriately sent the referenced Requests for Additional Information (RFAs) and Administrative Fine (AF) notifications to the official email addresses. In addition, as part of its normal business practices in AF matters for which RAD receives no response, RAD made an additional attempt to contact the Treasurer by emailing priscillanunez@gmail.com.³

While the Reviewing Officer confirms the notifications referenced in the challenge were appropriately emailed to the Committee, further analysis of Commission records indicates that the Commission did not treat the respondents in accordance with its normal course of business with respect to informing the Committee of its requirement to file 48-Hour Notices in connection with the 2024 New Jersey Primary Election. According to RAD, the Information Division, and the Public Disclosure and Media Relations Division, a combination of technical and procedural limitations caused a delay in appropriately linking the Candidate and Committee in the Commission's database.⁴ Therefore, the respondents were not included in the May 3, 2024 email distribution of the 2024 New Jersey Pre-Primary Report Prior Notice.⁵ This notice detailed the reporting requirements in connection with the 2024 New Jersey Primary Election, including the

² A committee must file an amended FEC Form 1 to report any change or correction of information within 10 days after the change. 11 C.F.R. § 102.2(a)(2).

³ See Attachment 2.

⁴ On March 8, 2024, the Committee filed an FEC Form 1 and registered as a political committee. On April 6, 2024, the Committee filed an April Quarterly Report disclosing more than \$5,000 in receipts and more than \$5,000 in disbursements for the 2024 Primary election. The activity on the report triggered the Candidate's requirement to file a Statement of Candidacy (FEC Form 2). To date, the Candidate has not filed an FEC Form 2. Due to current system limitations, the lack of the FEC Form 2 resulted in a delay in assigning a candidate ID number and linking the Principal Campaign Committee (PCC) to a candidate ID. Because the Information Division's standard process for sending Prior Notices depends on candidate linkages in the database, the 2024 New Jersey Primary Election Prior Notice was not sent to the Committee on May 3, 2024. On June 4, 2024, as part of its normal ballot review process and standard procedures, the Public Records Office assigned a candidate ID in the absence of an FEC Form 2. See Attachment 2.

⁵ See [FEC | Dates and deadlines | New Jersey primary election report notice \(2024\)](#)

48-Hour Notice requirement for contributions of \$1,000 or more received between May 16, 2024 and June 1, 2024.

The Reviewing Officer reviewed Commission records to determine if there were any indications of the Committee's general awareness of its requirement to file 48-Hour Notices in connection with the 2024 New Jersey Primary Election. Prior to receiving the RTB notification in this matter, the Committee had never filed any 48-Hour Notices nor received guidance from Commission staff on this topic; therefore, one can reasonably presume the Committee was unaware of its requirement to file 48-Hour Notices in connection with the 2024 New Jersey Primary Election. The Reviewing Officer recognizes the Committee may have known to file the 48-Hour Notices if it was treated according to the Commission's normal course of business. Therefore, the Reviewing Officer recommends that the Commission terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file.

OAR Recommendations

1. Terminate the proceedings in AF# 4776 that Khairullah for Congress and Pricilla Nunez, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
2. Send the appropriate letter.

Attachments

Attachment 1 –

Attachment 2 –

Attachment 3 – Declaration from RAD

Attachment 4 – 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 Khairullah for Congress’ official email addresses of record:
 - A) Request for Additional Information for the 2024 July Quarterly Report, dated August 12, 2024, referencing the missing 48-Hour Notices (sent via electronic mail to: mk4congress@gmail.com and mtaher@prodigy.net);
 - B) Reason-to-Believe Letter, dated October 4, 2024, referencing the missing 48-Hour Notices (sent via electronic mail to: mk4congress@gmail.com and mtaher@prodigy.net).
4. I hereby certify that I have searched the Commission’s public records and find that Khairullah for Congress filed the missing 48-Hour Notices with the Commission on October 27 and November 13, 2024.
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 10th day of December, 2024.

Kristin D. Roser

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

RQ-2

August 12, 2024

PRICILLA NUNEZ, TREASURER
KHAIRULLAH FOR CONGRESS
P.O.BOX 732 254 PALISADES AVE
GARFIELD, NJ 07206

Response Due Date
09/16/2024

IDENTIFICATION NUMBER: C00872598

REFERENCE: JULY QUARTERLY REPORT (05/16/2024 - 06/30/2024)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 5 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$3,300 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for each option are provided below.

KHAIRULLAH FOR CONGRESS

Page 2 of 6

For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question.

KHAIRULLAH FOR CONGRESS

Page 3 of 6

Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions that appear to be from a corporation(s) and/or labor organization(s) (see attached). 52 U.S.C. § 30118(a) (formerly 2 U.S.C. § 441b(a)) and 11 CFR § 103.3(b) prohibit the receipt of contributions from corporations and labor organizations unless made from separate segregated funds established by the corporations and labor organizations.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(1) and (2))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund is made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

3. Schedule A of your report discloses one or more contributions that appear to be from a limited liability corporation(s) (LLC) (see attached). 11 C.F.R. §110.1(g) allows the receipt of contributions from LLCs providing the LLC is treated as a partnership for tax purposes, and has not elected to be treated as a corporation by the Internal Revenue Service (IRS). Both LLCs that claim corporate status and those that are publicly traded would be treated as

KHAIRULLAH FOR CONGRESS

Page 4 of 6

corporations for FECA purposes.

Please amend your report to clarify if the LLCs in question are treated as partnerships. If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

4. Schedule A of your report discloses one or more contributions from an organization(s) which is not a political committee registered with the Commission (see attached). In order for your committee to accept contributions from unregistered organizations, your committee should take steps to ensure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 52 U.S.C. §§ 30116(f) and 30118 (formerly 2 U.S.C. §§ 441a(f) and 441b) or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: (1) establish a separate account which contains only those funds permitted under the Act, or (2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

KHAIRULLAH FOR CONGRESS

Page 5 of 6

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(b) or (c), as applicable, of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

5. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions (to include loans, in-kind contributions, and advances) received by your committee after the close of books for the 12 Day Pre-Primary Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RAFI), why you received a letter, and how to respond, please visit

KHAIRULLAH FOR CONGRESS

Page 6 of 6

www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1130.

Sincerely,

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

Jill Sugarman
Assistant Branch Chief, Authorized

476

Apparent Excessive, Prohibited, and Impermissible Contributions
Khairullah for Congress (C00872598)

Apparent Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Moheisen, Younis	5/18/24	\$5,000.00	P2024

Contributions from Possible Prohibited Entities

Contributor Name	Date	Amount	Election
Advanced Professional General Contracting	5/20/24	\$3,000.00	P2024
Axis Family Care LLC	5/21/24	\$300.00	P2024
Chandler Pharmacy LLC	5/22/24	\$3,300.00	P2024
Dental Aesthetics LLC	5/19/24	\$1,000.00	P2024
Diamond Years	5/22/24	\$500.00	P2024
Drug Zone Pharmacy	5/22/24	\$500.00	P2024
Drug Zone Pharmacy	5/23/24	\$500.00	P2024
Flat Fee Moving & Trucking	5/18/24	\$1,000.00	P2024
Habibi Smoke Shop II LLC	5/18/24	\$1,000.00	P2024
HAY&A Contractor Services LLC	5/18/24	\$500.00	P2024
Main Street RX LLC	5/22/24	\$1,000.00	P2024
M and L Meat Market LLC	5/17/24	\$2,000.00	P2024
Royal Hibachi Buffet	5/16/24	\$500.00	P2024
Sheiks Family Fitness	5/18/24	\$1,000.00	P2024

Contributions from Possible Unregistered Organizations

Contributor Name	Date	Amount	Election
Passaic County Building Constuction Trades Council	6/17/24	\$500.00	P2024

Missing 48-Hour Notices
Khairullah for Congress (C00872598)

Contributor Name	Date	Amount	Election
Alshikh, Shahamah	5/16/24	\$1,000.00	P2024
Patel, Arif	5/16/24	\$1,000.00	P2024
Abudhaba, Aref	5/17/24	\$3,300.00	P2024
M and L Meat Market LLC	5/17/24	\$2,000.00	P2024
Rasheed, Fouad	5/17/24	\$1,000.00	P2024
Abdelaziz, Alam	5/18/24	\$1,000.00	P2024
Ahmad, Tawfik	5/18/24	\$1,800.00	P2024
Ahmed, Mutahar	5/18/24	\$1,200.00	P2024
Alhaddawi, Anwar	5/18/24	\$1,000.00	P2024
Attili, Zaher	5/18/24	\$3,300.00	P2024
Attili, Zahled	5/18/24	\$1,500.00	P2024
Fahmy, Ibrahim	5/18/24	\$1,000.00	P2024
Flat Fee Moving & Trucking	5/18/24	\$1,000.00	P2024
Habibi Smoke Shop II LLC	5/18/24	\$1,000.00	P2024
Haque, Mohammed	5/18/24	\$2,250.00	P2024
Huzien, Diane	5/18/24	\$3,300.00	P2024
Kanan, Kanan	5/18/24	\$1,000.00	P2024
Moheisen, Younis	5/18/24	\$5,000.00	P2024
Saber, Mohammed	5/18/24	\$2,000.00	P2024
Sheiks Family Fitness	5/18/24	\$1,000.00	P2024
Suleiman, Ahmad	5/18/24	\$1,000.00	P2024
Suqi, Othman	5/18/24	\$3,300.00	P2024
Ali, Elsayed	5/19/24	\$2,000.00	P2024
Ayman, Jubran	5/19/24	\$3,300.00	P2024
Dental Aesthetics LLC	5/19/24	\$1,000.00	P2024
Heba, Abdulla	5/19/24	\$1,000.00	P2024
Hussein, Assallum	5/19/24	\$1,000.00	P2024
Maged, Hamad	5/19/24	\$1,000.00	P2024
Mazen, Bedri	5/19/24	\$1,000.00	P2024
Rashid, Baeira	5/19/24	\$1,000.00	P2024
Sami, Abunasra	5/19/24	\$3,300.00	P2024
Yasir, Mohmoud	5/19/24	\$1,000.00	P2024
Advanced Professional General Contracting	5/20/24	\$3,000.00	P2024
Bashir, Tariq	5/20/24	\$1,000.00	P2024
Khaf, Ahmad	5/20/24	\$3,300.00	P2024
Khan, Asif	5/20/24	\$1,000.00	P2024
Suleiman, Nuha	5/20/24	\$1,000.00	P2024
Syed, Yazdani	5/20/24	\$1,000.00	P2024

Missing 48-Hour Notices
Khairullah for Congress (C00872598)

Contributor Name	Date	Amount	Election
Chandler Pharmacy LLC	5/22/24	\$3,300.00	P2024
Kopic, Mario	5/22/24	\$1,000.00	P2024
Main Street RX LLC	5/22/24	\$1,000.00	P2024
Alayoubi, Mohamad	5/23/24	\$1,000.00	P2024
Gaber, Akram	5/25/24	\$3,000.00	P2024
Abdul, Zanabli	5/26/24	\$1,000.00	P2024
Ahmad, Maatouk	5/26/24	\$2,000.00	P2024
Amjad, Bahnassi	5/26/24	\$1,500.00	P2024
Aref, Rifai	5/26/24	\$2,000.00	P2024
Bassel, Atassi	5/26/24	\$1,000.00	P2024
Ednan, Sheikh	5/26/24	\$3,300.00	P2024
Khattab, Abuattieh	5/26/24	\$1,000.00	P2024
Location, Alhabbal	5/26/24	\$1,000.00	P2024
Mamoun, Abdoh	5/26/24	\$1,000.00	P2024
mohammad, khamis	5/26/24	\$1,500.00	P2024
Shamiq, Syed	5/26/24	\$1,500.00	P2024
Taher, shriteh	5/26/24	\$3,300.00	P2024
Aburomi, Mahmoud	5/28/24	\$1,000.00	P2024
Khatib, Zaynab	6/1/24	\$1,000.00	P2024

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) The principal campaign committee of a candidate must file notifications disclosing contributions of \$1,000 or more which are received after the 20th day but more than 48 hours before an election. These notifications (also called 48-Hour Notices) must be filed with the Commission within 48 hours of the committee's receipt of the contribution(s).
- 3) I hereby certify that I have searched the Commission's public records and find that Khairullah for Congress did not timely file the required 48-Hour Notices for the contributions included in the Commission's October 2, 2024 RTB finding.
- 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 19th day of December, 2024.



Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

December 20, 2024

Pricilla Nunez, in official capacity as Treasurer
Khairullah for Congress
P.O. Box 732
254 Palisades Ave.
Garfield, NJ 07206

C00872598
AF# 4776

Dear Treasurer:

On October 2, 2024, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Khairullah for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for contributions totaling \$97,250. The Commission also made a preliminary determination that the civil money penalty was \$10,793 based on the schedule of penalties at 11 C.F.R. § 111.44.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission terminate the proceedings and close the file. 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. The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted responses will be deemed received on the date it is electronically received by staff. Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

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

Sincerely,

Rhiannon Magruder
Rhiannon Magruder

Reviewing Officer
Office of Administrative Review

RECEIVED

By Office of the Commission Secretary at 11:20 am, Jan 22, 2025

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

January 22, 2025

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# 4776 – Khairullah for Congress and Pricilla Nunez, in their official capacity as Treasurer (C00872598)

On October 2, 2024, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for contributions totaling \$97,250 and made a preliminary determination that the civil money penalty was \$10,793 based on the schedule of penalties at 11 C.F.R. § 111.44. On October 25, 2024, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated December 19, 2024 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference.

The Treasurer indicated she did not receive all Commission email notifications and was not given proper notice to adequately respond to the Committee’s outstanding issues. While the Reviewing Officer confirmed the notifications referenced in the challenge were appropriately emailed to the Committee, further analysis of Commission records indicated that the Commission did not treat the respondents in accordance with its normal course of business with respect to informing the Committee of its requirement to file 48-Hour Notices in connection with the 2024 New Jersey Primary Election. The Reviewing Officer recognized the Committee may have known to file the 48-Hour Notices if it was treated according to the Commission’s normal course of business. Therefore, the Reviewing Officer recommended that the Commission terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file. *See ROR.*

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 Treasurer has since indicated the Committee does not intend to submit a formal response. Therefore, the Reviewing Officer recommends that the Commission terminate the proceedings in accordance with 11 C.F.R. § 111.37(b) and close the file.

OAR Recommendations

1. Terminate the proceedings in AF# 4776 that Khairullah for Congress and Pricilla Nunez, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file; and
2. Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 4776
 Final Determination Recommendation –)
 Khairullah for Congress and Pricilla)
 Nunez, in their official capacity as)
 Treasurer (C00872598))

CERTIFICATION

I, Laura E. Sinram, Secretary and Clerk of the Federal Election Commission, do hereby certify that on February 05, 2025, the Commission decided by a vote of 5-0 to take the following actions in AF 4776:

1. Terminate the proceedings in AF# 4776 that Khairullah for Congress and Pricilla Nunez, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file.
2. Send the appropriate letter.

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



Attest:

**Laura E
Sinram**

Digitally signed by Laura E Sinram
 Date: 2025.02.10 15:12:16 -05'00'

 Laura E. Sinram
 Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

February 11, 2025

Pricilla Nunez, in official capacity as Treasurer
Khairullah for Congress
P.O. Box 732
254 Palisades Ave.
Garfield, NJ 07206

C00872598
AF# 4776

Dear Pricilla Nunez:

On October 2, 2024, the Federal Election Commission (the "Commission") found reason to believe ("RTB") that Khairullah for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for contributions totaling \$97,250. By letter dated October 4, 2024, the Commission sent notification of the RTB finding that included a civil money penalty calculated at \$10,793 in accordance with the schedule of penalties at 11 CFR § 111.44. On October 25, 2024, 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 terminate the proceedings and close the file. The Reviewing Officer Recommendation was sent to you on December 20, 2024.

On February 5, 2025, the Commission adopted the Reviewing Officer's recommendation to terminate the proceedings with respect to 52 U.S.C. § 30104(a) and close the file. 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 CFR §§ 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. 1158) or (202) 694-1158.

On behalf of the Commission,

A handwritten signature in black ink, reading "J.E. Trainor, III".

James E. "Trey" Trainor III
Acting Chairman