



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

January 23, 2025

Aria C. Branch, Esq.  
250 Massachusetts Avenue, NW, Suite 400  
Washington, DC 20001

Re: ADR 1177 (8151)  
Marvin Abney for Congress and Michael J Tsandilas, Treasurer (C00839126)

Dear Aria C Branch, Esq.:

Enclosed is the signed copy of the Negotiated Settlement resolving the above-shown matter. The Negotiated Settlement was approved by the Commission on January 17, 2025 – the effective date of the agreement.

Note the specific time frames for compliance detailed in the agreement. Please forward to this office, a statement confirming Respondent's compliance with each term. The letter should note the dates on which Respondents satisfied each of the terms and contain the ADR case number. For your convenience, a compliance chart is attached.

Under the terms of the agreement, a civil penalty in the amount of \$3,800 is due on February 16, 2025. Kindly review the attached payment instructions for details on payment methods and the collection of unpaid debts.

As you are aware, the Negotiated Settlement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our negotiations, and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Records Office.

This agreement resolves this matter. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Rebollozo". The signature is fluid and cursive, with a long horizontal stroke at the end.

Joshua A. Rebollozo  
Assistant Director  
Alternative Dispute Resolution Office

Enc: Payment Instructions  
Compliance Chart  
Negotiated Settlement

## **ADRO Civil Penalty Payment Instructions**

You may remit payment by credit card, debit card, or ACH withdrawal from your bank account through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/adrpayment](http://www.fec.gov/adrpayment) to be directed to Pay.gov's FEC ADR Payment form.

### **Unpaid Civil Penalties**

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

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

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

**ADR 1177 Compliance Chart****Type**

Certify the closure of the Committee's federal account and work with Commission staff to terminate its political committee status

**Date Due**

February 16, 2025



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

Case Number: ADR 1177

Source: MUR 8151

Case Name: Marvin Abney for Congress

## NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn, and notarized complaint filed by the Rhode Island Republican State Central Committee. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Federal Election Commission (FEC or the Commission) entered into negotiations with Aria C. Branch, Esq., representing Marvin Abney for Congress and Michael J. Tsandilas, in the official capacity of Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 52 U.S.C. § 30109.
2. Respondents voluntarily enter into this agreement with the Commission.
3. On August 1, 2023, the Rhode Island Republican State Central Committee filed a Complaint alleging that Respondents accepted an excessive contribution in the form of a \$50,000 loan from an individual. On January 10, 2024, the Reports Analysis Division (RAD) referred Respondents for failing to timely remedy \$50,550 in excessive and prohibited contributions for the 2023 Special Primary Election. The referred activity included the same \$50,000 excessive contribution and \$550 in apparent prohibited contributions from unregistered organizations. The Committee remedied all of these contributions, albeit untimely.
4. During the 2023-2024 election cycle, no person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$3,300. 52 U.S.C. § 30116 (a); 11 C.F.R. §§ 100.52, 110.1(b).
5. It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, and it is unlawful for any candidate or political committee to accept such

contributions. 52 U.S.C. §§ 30116(f), 30118(a); 11 C.F.R. § 114.2(a), (d). A contribution from an LLC is considered an unlawful corporate contribution if the LLC elects to be treated as a corporation under IRS rules or if its shares are traded publicly. 11 C.F.R. § 110.1(g)(3). Within 30 days of the treasurer's receipt of the questionable contribution, the committee must confirm the legality of the contribution or refund the contribution to the contributor and note the refund on the report covering the period in which the refund was made. 11 CFR §103.3(b)(1).

6. The Committee acknowledges it mistakenly accepted a loan that exceeded contribution limits and states it refunded the loan 16 days after learning of the issue. The Committee further states it was unable to confirm whether the contributions received from apparent unregistered organizations were made using permissible funds, and therefore refunded the contributions. In addition, the Committee states it wishes to terminate its political committee status upon resolution of this matter.
7. Respondents, in order to resolve this matter, agree to pay a civil penalty of \$3,800 within thirty (30) days of the effective date of this settlement. As the Committee wishes to terminate its political committee status, Respondents will certify the closure of the Committee's federal account and file a termination report within one hundred and twenty (120) days of the effective date of this settlement, and work with Commission staff to terminate their political committee status and reporting obligations. The Committee will continue reporting until such time as the termination has been approved.
8. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
9. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may undertake civil action in the U.S. District Court for the District of Columbia to secure compliance. Unpaid civil money penalties are subject to the Debt Collection Act of 1982 as amended by the Debt Collection Improvement Act of 1996 (DCIA), 31 U.S.C. § 3701 et seq. The Commission will transfer debt to the United States Department of the Treasury (Treasury) for collection.
10. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 7 above and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
11. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 1177 (MUR 8151), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Joshua A. Rebollozo, Assistant Director  
Alternative Dispute Resolution Office



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01/17/2025

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Date Signed

FOR THE RESPONDENTS:

*Aria Branch*

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Aria C. Branch, Esq.  
Representing Marvin Abney for Congress and  
Michael J. Tsandilas, Treasurer

Dec 10, 2024

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Date Signed