



Federal Election Commission
Washington, DC 20463

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SENSITIVE

MEMORANDUM

August 3, 2016

TO: The Commission

THROUGH: Alec Palmer *ewh*
Staff Director

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

Lynn M. Frase *LMF*
Director, ADR Office

SUBJECT: ADR 802 Right to Rise PAC, Inc. and William Simon,
Treasurer, Recommendation to Approve Settlement
Agreement

RESOLUTION TERMS: Develop and certify implementation of a compliance
operations manual which includes internal controls
consistent with those described in the Commission's
Internal Controls and Political Committees advisory
document (2007) and the Best Practices for Committee
Management (published in the April 2009 Record), as well
as a process to track receipt of, and response to,
communications with the Commission; certify that a
representative of the Committee participated in an FEC
conference, webinar, or other program developed in
consultation with the FEC's Information Division; and pay
a civil penalty of \$2,400.

Attached for your review is a signed negotiated ADR Settlement Agreement
pertaining to **ADR 802 (RAD 16L-08)**. The ADR Office received this referral on
May 26, 2016.

SUMMARY: In this case, the Reports Analysis Division (RAD) referred the
Right to Rise PAC, Inc. and William Simon, Treasurer (Respondents or the
Committee) for failing to timely remedy excessive contributions. The Committee

Recommendation to Approve
Settlement Agreement
ADR 802 (RAD 16L-08)
Page 1

10-10-2016-08-01

received excessive contributions totaling \$32,500 for the 2015 calendar year from seven (7) individuals, and failed to refund, reattribute or transfer-out those excessive contributions to the Committee's non-federal account in the time required.

Respondents contend that all the excessive contributions were remedied, albeit untimely. The Committee discovered this error through its own internal procedures prior to filing its first report with the FEC on July 31, 2015. Upon discovering the error, the Committee took immediate action to refund the contributions in question and has implemented procedures to ensure that the error would not reoccur. The Committee disclosed the untimely remedied contributions in the 2015 Mid-Year Report.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of Right to Rise PAC, Inc. and William Simon, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.