

## REPORTS ANALYSIS DIVISION REFERRAL

TO

## OFFICE OF GENERAL COUNSEL

DATE: July 2, 2018

ANALYST: Romy Adame-Wilson

I. COMMITTEE: SEAL PAC Supporting Electing American Leaders PAC  
(C00570226)  
Paul Kilgore, Treasurer (2/2/18 - Present)  
Barbara P. Lazaris (5/9/17 - 2/1/18)  
Vincent DeVito, Esq. (12/31/14 - 5/8/17)  
1155 15<sup>th</sup> St. NW  
Washington, DC 20005

II. RELEVANT STATUTE: 52 U.S.C. § 30104(b)(2)  
11 CFR § 104.3(a)

## III. BACKGROUND:

**Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)**

SEAL PAC Supporting Electing American Leaders PAC ("the Committee") amended its 2017 Mid-Year Report to disclose additional receipts totaling \$607,776.02, which were not disclosed on the original report (Attachment 2).

On July 30, 2017, the Committee filed the original 2017 Mid-Year Report covering the period from January 1, 2017 through June 30, 2017. The report disclosed \$243,592.26 in receipts on Line 11(a)(i) (Itemized Contributions from Individuals) and \$171,661.10 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals) of the Detailed Summary Page (Image 201707309069853422, Attachment 2).

On January 18, 2018, the Committee filed an Amended 2017 Mid-Year Report. The Report disclosed no change in activity from the original report (Image 201801189090433068).

On January 31, 2018, the Committee filed an Amended 2017 Mid-Year Report. The Report disclosed \$301,938.25 in receipts on Line 11(a)(i) and \$721,091.13 in receipts

on Line 11(a)(ii) of the Detailed Summary Page, a total increase in receipts of \$607,776.02 from the original report (Image 201801319091112998, Attachment 2).

On April 1, 2018, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2017 Mid-Year Report, received January 31, 2018. The RFAI requested clarification regarding the substantial increase in receipts disclosed on the Amended 2017 Mid-Year Report (Image 201804010300001706).

On May 6, 2018, the Committee filed a Miscellaneous Electronic Submission ("FEC Form 99") in response to the RFAI referencing the Amended 2017 Mid-Year Report, received January 31, 2018. The Committee stated, in part:

"The PACs Mid-Year 2017 Report Amendment 2, filed with the Commission on January 31, 2018, included up-to-date data that was missing from its original Mid-Year 2017 Report. As the Commission is aware, the PAC stated in a FEC Form 99 filed on December 22, 2017, that it would be "researching alternative software that may prevent a future data recovery error.? During the process of rebuilding the defective FEC.dcf file used to create the original report, it was discovered that additional receipts were not included. The additional receipts data was held in a separate electronic file that was not uploaded to FEC's DISCLOSE system. Also, during that process, and while rebuilding the file and creating an amended report, PAC staff communicated with FEC technical and RAD staff with regard to the matter, and – rather than submit multiple amendments – PAC staff decided to migrate from using FEC.dcf files to the use of advanced commercial software that is more capable of handling the volume of receipts received by the PAC. The PAC waited for installation of the advanced software while rebuilding the information missing from the defective FEC.dcf, amending the report, and adding the missing data. In addition to upgrading its software, the PAC has increased its filing schedule from quarterly to monthly disclosure of its campaign finances. As the bulk of the missing data was from individual contributions under \$200 (in aggregate), the individual contributor information was not required to be itemized. However, with the new software, the PAC is enabled to fully report most of its contributors' respective information and better track excessive contributions if they occur" (Image 201805069111991028).

On May 15, 2018, the Reports Analysis Division (RAD) Analyst called Paul Kilgore, the Committee's Treasurer, regarding the RFAI on the Amended 2017 Mid-Year Report, received January 31, 2018. The RAD Analyst explained that the Committee would be referred for further action. The Analyst stated that the Committee could file an FEC Form 99 with any additional information about the increase in activity. Mr. Kilgore explained that he did not think there was any additional information to share outside of the FEC Form 99 filed May 6, 2018, but that he would respond by June 1, 2018 if there was (Attachment 3).

To date, no further communications have been received from the Committee regarding this matter.

O-Index (2017-2018)															
Cmte. ID: C00570226      Cmte. Name: SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC															
Treasurer Name: KILGORE, PAUL      Address: 1155 15TH ST NW, WASHINGTON, DC 20005															
Cmte. Type: Q (QUALIFIED NON-PARTY)      Cmte. Designation: U (UNAUTHORIZED)      Filing Frequency: MONTHLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-T			1/31/2017	1	201701319042253802										
MS-T			4/6/2017	1	201704069052024175										
MS-T			4/26/2017	1	201704269053478901										
MS-T			6/1/2017	1	201706019055185046										
MS-T			6/1/2017	1	201706019055185047										
MS-T			12/22/2017	1	201712229090329903										
MS-T			12/30/2017	7	201801020300183144										
MS-M			2/5/2018	1	201802059094238817										
MS-O			2/12/2018	2	201802120300097919										
MS-T			5/6/2018	1	201805069111991028										
MS-T			5/7/2018	1	201805079111994296										
MS-T			5/25/2018	1	201805259113358347										
RQ1		A	5/15/2017	2	201705160300086528		5/15/2017								
RQ2	MY	A	4/1/2018	2	201804010300001706	1/1/2017	6/30/2017	4/1/2018							
RQ2	MY	N	11/20/2017	6	201711200300095240	1/1/2017	6/30/2017	11/20/2017							
RQ2	YE	N	4/1/2018	3	201804010300001708	7/1/2017	12/31/2017	4/1/2018							
RQ2	M2	N	4/19/2018	3	201804190300003794	1/1/2018	1/31/2018	4/19/2018							
RQ2	M3	N	5/1/2018	2	201805010300008122	2/1/2018	2/28/2018	5/1/2018							
RQ2	M4	A	6/25/2018	4	201806250300012659	3/1/2018	3/31/2018	6/25/2018							
F3XN	MY	N	7/30/2017	252	201707309069853420	1/1/2017	6/30/2017		\$408,882	\$415,253	\$1,055,030	\$230,895			\$0
F3XA	MY	A	1/18/2018	253	201801189090433066	1/1/2017	6/30/2017		\$215,633	\$415,253	\$1,055,030	\$424,143			\$0
F3XA	MY	A	1/31/2018	468	20180131909112986	1/1/2017	6/30/2017		\$215,633	\$1,023,029	\$1,055,030	\$183,632			\$0
F3XN	YE	N	1/31/2018	751	201801319091145991	7/1/2017	12/31/2017		\$183,632	\$877,047	\$782,213	\$278,466	\$69,701		\$69,701
F3XN	M2	N	2/20/2018	31	201802209094624424	1/1/2018	1/31/2018		\$278,466	\$110,500	\$71,302	\$317,663	\$69,701		\$69,701
F3XA	M2	A	5/17/2018	31	201805179112077521	1/1/2018	1/31/2018		\$278,466	\$110,990	\$71,317	\$318,139	\$42,835		\$24,764
F3XN	M3	N	3/20/2018	57	201803209096616530	2/1/2018	2/28/2018		\$317,663	\$199,904	\$109,577	\$407,990	\$69,701		\$69,701
F3XA	M3	A	5/17/2018	57	201805179112077616	2/1/2018	2/28/2018		\$318,139	\$199,939	\$112,637	\$405,441	\$23,840		\$0
F3XN	M4	N	4/20/2018	71	201804209111669455	3/1/2018	3/31/2018		\$407,990	\$190,989	\$253,256	\$345,723	\$69,701		\$69,701
F3XA	M4	A	5/17/2018	68	201805179112077673	3/1/2018	3/31/2018		\$405,441	\$192,790	\$254,516	\$343,715			\$0
F3XN	M5	N	5/17/2018	102	201805179112078811	4/1/2018	4/30/2018		\$343,715	\$267,252	\$260,349	\$350,618			\$0
F3XN	M6	N	6/20/2018	93	201806209113913107	5/1/2018	5/31/2018		\$350,618	\$203,392	\$197,263	\$356,747			\$0
F1A		A	2/2/2018	4	201802029094237223										
F1A		A	5/9/2017	4	20170509053512222										
F1A		A	5/9/2017	4	20170509053512226										
F1A		A	2/28/2017	4	201702289050585238										
F1A		A	6/1/2017	4	201706019055185067										
Totals										\$2,874,442		\$2,733,329			

O-Index (2015-2016)															
Cmte. ID: C00570226      Cmte. Name: SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC															
Treasurer Name: KILGORE, PAUL      Address: 1155 15TH ST NW, WASHINGTON, DC 20005															
Cmte. Type: Q (QUALIFIED NON-PARTY)      Cmte. Designation: U (UNAUTHORIZED)      Filing Frequency: MONTHLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-T			7/15/2015	1	201507159000178286										
MS-T			9/22/2015	1	201509229002774315										

Page 2 of 3  
Attachment 1

F3XA	YE	A	4/27/2017	13	201704279053482633	11/29/2016	12/31/2016		\$313,705	(\$4,068)	\$94,003	\$215,633	-	-	\$0
F1		M	1/22/2016	3	201601220300041056										
F1MN			1/15/2016	1	201601159004507911										
F1A		A	2/25/2015	5	15950832305										
Totals										\$3,024,519	\$2,808,885				

O-Index (2013-2014)															
Cmte. ID: C00570226 Cmte. Name: SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC															
Treasurer Name: KILGORE, PAUL Address: 1155 15TH ST NW, WASHINGTON, DC 20005															
Cmte. Type: Q (QUALIFIED NON-PARTY) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: MONTHLY FILER															
Form Tp	Rpt Tp	A/I	Receipt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Receipts	Disb	End Cash	Debits	Loans	Debits & Loans
RQ7	30G		12/19/2014	2	14330070539	11/4/2014	11/24/2014	12/19/2014	\$0	\$0	\$0	\$0	\$0		\$0
F3XN	30G	N	12/23/2014	5	14953218739	11/4/2014	11/24/2014		\$0	\$0	\$0	\$0	\$0		\$0
F3XN	YE	N	1/28/2015	5	15950120561	11/25/2014	12/31/2014		\$0	\$0	\$0	\$0	\$0		\$0
F1		N	11/4/2014	6	14031333880										
F1A		A	12/31/2014	4	14953223035										
Totals										\$0	\$0	\$0			

**SEAL PAC Supporting Electing American Leaders PAC (C00570226)**  
**2017 Mid-Year Report/Amended 2017 Mid-Year Report**

**Overview of Additional Receipts**

Report Line	Original 2017 Mid-Year Report (Image 201707309069853422)	Amended 2017 Mid-Year Report, received 1/31/2018 (Image 201801319091112998)	Variance Amount
Line 11(a)(i): Itemized Contributions from Individuals	\$243,592.26	\$301,938.25	\$58,345.99
Line 11(a)(ii): Unitemized Contributions from Individuals	\$171,661.10	\$721,091.13	\$549,430.03
		<b>Total:</b>	<b>\$607,776.02</b>