



FEDERAL ELECTION COMMISSION
Washington, DC 20463

1 **MEMORANDUM**

2 **TO:** The Commission

3 **FROM:** Lisa J. Stevenson
4 Acting General Counsel

5 Charles Kitcher
6 Associate General Counsel for Enforcement

7 Claudio J. Pavia
8 Deputy Associate General Counsel for Enforcement

9 **BY:** Mark Allen *MA*
10 Assistant General Counsel

11 Christine C. Gallagher *CG*
12 Attorney

13 **SUBJECT:** MUR 7380 (McSally PAC f/k/a McSally for Senate, Inc.)
14 Pre-Probable Cause Conciliation

15 On June 22, 2022, the Commission approved a conciliation agreement for McSally for
16 Senate, Inc., and Paul Kilgore in his official capacity as treasurer (the “Committee”) addressing
17 violations of 52 U.S.C. § 30116(f) and including a civil penalty¹

18 Attached is a negotiated conciliation agreement with the Committee, which would
19 resolve the violations.² We recommend that the Commission accept the signed agreement.

¹ Certification (Cert.) ¶ 3.c (June 24, 2022). The Commission previously found reason to believe that the Committee violated 52 U.S.C. § 30116(f) and 30116(a)(5)(C) and entered into pre-probable cause conciliation with a civil penalty offer Cert. ¶ 2.c, d, j, k (June 1, 2021); Cert. (June 28, 2021). On June 22, 2022, the Commission determined to take no further action with respect to the section 30116(a)(5)(C) reason-to-believe finding, and approved the new agreement for the Committee. Cert. ¶ 3.a, b, c (June 24, 2022).

² the Committee filed an amended Statement of Organization renaming the Committee as McSally PAC, and converting to a multicandidate committee. McSally PAC, Amended Statement of Organization (Aug. 10, 2022). These changes are reflected in the agreement preamble and in Paragraph IV.3.

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We believe this negotiated agreement represents a reasonable compromise under the circumstances. Therefore, we recommend that the Commission accept the attached conciliation agreement and close the file.

RECOMMENDATIONS:

1. Accept the attached conciliation agreement with McSally PAC f/k/a McSally for Senate, Inc., and Paul Kilgore in his official capacity as treasurer;
2. Approve the appropriate letters; and
3. Close the file.

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