



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: The Commission

FROM: Lisa J. Stevenson
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Charles Kitcher
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BY: Mark Allen *MA*
Assistant General Counsel

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Attorney

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

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

Attached is a negotiated conciliation agreement with the Committee, which would 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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1 We believe this negotiated agreement represents a reasonable compromise under the
2 circumstances. Therefore, we recommend that the Commission accept the attached conciliation
3 agreement and close the file.

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5 **RECOMMENDATIONS:**

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