



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Brad Woodhouse  
American Democracy Legal Fund  
455 Massachusetts Avenue, NW, Suite 650  
Washington, DC 20001

RE: MUR 7438  
Ohio First PAC, *et al.*


Dear Mr. Woodhouse:

This is in reference to the complaint you filed with the Federal Election Commission on July 23, 2018. The Commission found that there was reason to believe that Ohio First PAC and Julie Dozier in her official capacity as treasurer failed to file a pre-primary report in violation of 52 U.S.C. § 30101(a)(4)(A)(ii) and independent expenditure reports in violation of 52 U.S.C. § 30104(g). On August 12, 2021, a conciliation agreement signed by the respondent was accepted by the Commission.

On May 20, 2021, the Commission considered the complaints but there was an insufficient number of votes to find reason to believe that Renacci for US Senate and Russell Corwin in his official capacity as treasurer violated the Act. On the same day, the Commission found no reason to believe that Majority Strategies, LLC, and Grassroots Targeting LLC violated the Act. Accordingly, the Commission closed the file in these matters on August 12, 2021.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). A copy of the conciliation agreement with Ohio First PAC and Julie Dozier in her official capacity as treasurer is enclosed for your information. In addition, the Factual and Legal Analyses for Grassroots Targeting LLC and Majority Strategies, LLC, which formed a basis for the Commission's findings, are enclosed.

If you have any questions, please contact me at (202) 694-1628.

Sincerely,  
  
Nicholas Bamman  
Attorney

MUR 7438 (Ohio First PAC)

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Enclosures:

Conciliation Agreement

Factual and Legal Analyses

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	MURs 7438 and 7476
Ohio First PAC and	)	
Julie Dozier in her official capacity	)	
as treasurer	)	

**CONCILIATION AGREEMENT**

These matters were initiated by a *sua sponte* submission made to the Federal Election Commission (“Commission”) by Ohio First PAC and Julie Dozier in her official capacity as treasurer and by two signed, sworn, and notarized complaints. The Commission found reason to believe that Ohio First PAC and Julie Dozier in her official capacity as treasurer (collectively, “Ohio First” or “Respondents”) violated 52 U.S.C. § 30104(a)(4)(A)(ii) by failing to timely file a pre-primary report and 52 U.S.C. § 30104(g) by failing to report its independent expenditures.

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Ohio First PAC is an independent expenditure-only political committee that registered with the Commission on January 21, 2018.

2. Julie Dozier is the treasurer of Ohio First PAC.

3. A political committee that makes or contracts to make independent expenditures aggregating \$10,000 or more for an election in any calendar year, up to and including the 20th day before an election, must report these expenditures within 48 hours (in “48-hour reports”). 52 U.S.C. § 30104(g)(2); 11 C.F.R. § 104.4(b)(2). These 48-hour reports must be filed by the end of the second day “following the date on which a communication that constitutes an independent expenditure is publicly distributed or otherwise publicly disseminated.” 11 C.F.R. § 104.4(b)(2).

4. A political committee that makes or contracts to make independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the date of an election must report the expenditures within 24 hours (in “24-hour reports”). 52 U.S.C. § 30104(g)(1); 11 C.F.R. §§ 104.4(c), 109.10(d). These 24-hour reports must be filed before midnight on the day following the date on which the communication is publicly disseminated. 11 C.F.R. § 104.4(c).

5. In addition, political committees that make expenditures in connection with a primary election must file a pre-primary report no later than 12 days before that primary, disclosing all receipts and disbursements as of the 20th day before the primary election. 52 U.S.C. § 30104(a)(4)(A); 11 C.F.R. § 104.5(c)(1).

6. During April and May 2018, Ohio First made the following independent expenditures, totaling \$472,129.66:

<b>Distribution or Dissemination</b>	<b>Vendor</b>	<b>Amount</b>
Apr. 1, 2018	Majority Strategies	\$ 25,000.00
Apr. 1, 2018	Majority Strategies	\$ 93,270.00
Apr. 1, 2018	Majority Strategies	\$ 2,500.00

<b>Distribution or Dissemination</b>	<b>Vendor</b>	<b>Amount</b>
Apr. 2, 2018	Majority Strategies	\$ 52,307.33
Apr. 9, 2018	Majority Strategies	\$ 52,307.33
Apr.16, 2018	Majority Strategies	\$ 52,307.33
Apr. 16, 2018	Majority Strategies	\$ 25,000.00
Apr. 23, 2018	Majority Strategies	\$ 50,314.67
Apr. 30, 2018	Majority Strategies	\$ 51,311.00
May 1, 2018	Ascent Media LLC	\$ 7,700.00
May 1, 2018	Majority Strategies	\$ 58,362.00
May 1, 2018	Majority Strategies	\$ 1,750.00
	<b>Total:</b>	<b>\$ 472,129.66</b>

7. On June 29, 2018, Ohio First filed independent expenditure reports for the 12 expenditures it made from April 1 through May 1, 2018, and filed its Pre-Primary Report covering the period from April 1 through April 18, 2018.

8. Under the Commission's reporting schedule for the Ohio primary election, Ohio First was under an obligation to disclose the independent expenditures made on or before April 18, 2018, within 48 hours of the communications' public distribution or dissemination. Similarly, Ohio First was required to disclose the independent expenditures made between April 19 and May 6, 2018, within 24 hours of the communications' public distribution or dissemination. Ohio First was also required to file a Pre-Primary Report.

9. Ohio First voluntarily self-disclosed that it failed to timely file 24-Hour Reports disclosing \$169,437.67 in independent expenditures and 48-Hour Reports disclosing \$302,691.99 in independent expenditures. Ohio First also acknowledged that it did not file its Pre-Primary Report, an election-sensitive report, until more than six weeks after it was due.

V. Respondents violated 52 U.S.C. § 30104(a)(4)(A)(ii) by failing to timely file a pre-primary report and 52 U.S.C. § 30104(g) by failing to timely report its independent expenditures.

VI. Respondents will take the following actions:

1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of fifteen thousand dollars (\$15,000), pursuant to 52 U.S.C. § 30109(a)(5)(A).
2. Respondents will cease and desist from violating 52 U.S.C. § 30104(a)(4)(A)(ii) and 52 U.S.C. § 30104(g).

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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Conciliation Agreement  
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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lisa J. Stevenson  
Acting General Counsel

BY: Charles Kitcher  
Charles Kitcher  
Associate General Counsel  
for Enforcement

9/1/21  
Date

FOR THE RESPONDENTS:

\_\_\_\_\_  
Steve Roberts  
Counsel to Respondent

August 2, 2021  
Date

**FEDERAL ELECTION COMMISSION****FACTUAL AND LEGAL ANALYSIS**

1  
2  
3 RESPONDENTS: Ohio First PAC and MURs 7438 and 7476  
4 Julie Dozier in her official capacity as treasurer

**I. INTRODUCTION**

6 These matters were generated by a *sua sponte* submission filed by Ohio First and  
7 Complaints filed with the Federal Election Commission (the “Commission”).<sup>1</sup> The matters  
8 each involve allegations relating to reporting of independent expenditures made in support of  
9 Jim Renacci in the 2018 Senate election in Ohio. Ohio First PAC and Julie Dozier in her  
10 official capacity as treasurer (collectively, “Ohio First” or “Respondents”) made such  
11 independent expenditures in support of Jim Renacci before the Ohio Republican Primary and  
12 failed to report these independent expenditures on 24- and 48-hour reports and on its Pre-  
13 Primary Report.<sup>2</sup> Based on the available information, the Commission finds reason to  
14 believe that Ohio First violated 52 U.S.C. § 30104(a)(4)(A)(ii) by failing to timely file a pre-  
15 primary report and violated 52 U.S.C. § 30104(g) by failing to report its independent  
16 expenditures.

**II. FACTS**

17 Ohio First is an independent expenditure-only political committee (“IEOPC”) that  
18 registered with the Commission on January 21, 2018.<sup>3</sup> In the weeks leading up to the May 8,  
19

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<sup>1</sup> See 52 U.S.C. § 30109(a)(1)-(2).

<sup>2</sup> Ohio First, *Sua Sponte* Submission at 1 (June 29, 2018), Pre-MUR 613 (Ohio First PAC) (“First Submission”); Ohio First PAC, *Sua Sponte* Supp. Submission at 1 (Sept. 28, 2018), Pre-MUR 613 (Ohio First PAC) (“Second Submission”); Ohio First, *Sua Sponte* Second Supp. Submission (Nov. 16, 2018), Pre-MUR 613 (Ohio First PAC) (“Third Submission”); Ohio First Resp. at 1-2, MUR 7476 (Aug. 9, 2018).

<sup>3</sup> Ohio First, Statement of Organization (Jan. 21, 2018).



1 2018, Ohio primary election, Ohio First supported the candidacy of Jim Renacci for the  
 2 Republican nomination for U.S. Senate from Ohio by making nearly half a million dollars in  
 3 independent expenditures, but it did not file reports with the Commission disclosing these  
 4 independent expenditures until after the primary election.<sup>4</sup>

5 Under the Commission's reporting schedules for the Ohio primary election, Ohio  
 6 First was required to file 48-hour independent expenditure reports through April 18, 2018,  
 7 and 24-hour independent expenditure reports from April 19 to May 6, 2018, as well as a Pre-  
 8 Primary Report by April 26, 2018 (covering the period through April 18, 2018). Ohio first  
 9 did not report any cash on hand, receipts, disbursements, or debts, and reported no  
 10 independent expenditures, until June 29, 2018, more than six weeks after the primary  
 11 election.

12 Most of Ohio First's activity occurred during April and May 2018.<sup>5</sup> During that  
 13 period, Ohio First made the following independent expenditures, totaling \$472,129.66:<sup>6</sup>

<b>Distribution or Dissemination</b>	<b>Vendor</b>	<b>Amount</b>
Apr. 1, 2018	Majority Strategies	\$ 25,000.00
Apr. 1, 2018	Majority Strategies	\$ 93,270.00
Apr. 1, 2018	Majority Strategies	\$ 2,500.00

<sup>4</sup> See First Submission at 1 (stating that Ohio First filed its independent expenditure reports after the primary election); Ohio First, 2018 Pre-Primary Report at 10-13 (June 29, 2018); Ohio First, 2018 July Quarterly Report at 15-17 (July 15, 2018).

<sup>5</sup> First Submission at 1; Ohio First, 2018 Pre-Primary Report at 10-13; Ohio First, 2018 July Quarterly Report at 15-17.

<sup>6</sup> Ohio First, 2018 Pre-Primary Report at 2, 6-9; Ohio First, 2018 July Quarterly Report at 9-14. The first contribution to Ohio First was made on May 10, 2018, two days after the primary election. Ohio First Receipts, [https://www.fec.gov/data/receipts/?two\\_year\\_transaction\\_period=2018&committee\\_id=C00666750&data\\_type=processed](https://www.fec.gov/data/receipts/?two_year_transaction_period=2018&committee_id=C00666750&data_type=processed) (last visited Apr. 18, 2020).

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## Factual and Legal Analysis

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<b>Distribution or Dissemination</b>	<b>Vendor</b>	<b>Amount</b>
Apr. 2, 2018	Majority Strategies	\$ 52,307.33
Apr. 9, 2018	Majority Strategies	\$ 52,307.33
Apr. 16, 2018	Majority Strategies	\$ 52,307.33
Apr. 16, 2018	Majority Strategies	\$ 25,000.00
Apr. 23, 2018	Majority Strategies	\$ 50,314.67
Apr. 30, 2018	Majority Strategies	\$ 51,311.00
May 1, 2018	Ascent Media LLC	\$ 7,700.00
May 1, 2018	Majority Strategies	\$ 58,362.00
May 1, 2018	Majority Strategies	\$ 1,750.00
	<b>Total:</b>	<b>\$ 472,129.66</b>

1 In a supplemental submission, Ohio First represents that it failed to timely report its  
2 independent expenditures because Ohio First’s treasurer was unaware of the expenditures.<sup>7</sup>  
3 Ohio First stated that, although it had received invoices from its vendors, it did not pay the  
4 invoices because it lacked funds and did not forward the unpaid invoices to Ohio First’s  
5 treasurer.<sup>8</sup> Ohio First states that it discovered that it did not file the required reports on or  
6 around June 20, 2018, and then conducted an “audit” to review its activity and implemented  
7 a new process to route independent expenditure invoices directly to the treasurer upon  
8 receipt.<sup>9</sup>

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<sup>7</sup> See Second Submission at 1.

<sup>8</sup> *Id.* (explaining, also, that Ohio First’s treasurer is a “professional at a compliance firm”).

<sup>9</sup> *Id.* at 2. Ohio First stated that the revised compliance process was not memorialized in any formal written policy because of the “expectation of a limited time duration for Ohio First PAC’s activities.” Third Submission at 3.

1           After conducting its internal review, Ohio First filed its *sua sponte* submission with  
2 the Commission by letter dated June 29, 2018.<sup>10</sup> At the same time, Ohio First filed  
3 independent expenditure reports for the 12 expenditures it made from April 1 through  
4 May 1, 2018, and filed its Pre-Primary Report covering the period from April 1 through  
5 April 18, 2018. The Pre-Primary Report disclosed no receipts, no disbursements, no cash on  
6 hand, and \$367,667.99 in debts and obligations along with \$302,691.99 in independent  
7 expenditures in support of Renacci.<sup>11</sup>

### 8 **III. LEGAL ANALYSIS**

9           Under the Act and Commission regulations, political committees other than  
10 authorized committees must report their independent expenditures.<sup>12</sup> Every political  
11 committee that makes independent expenditures must report them in its regularly scheduled  
12 disclosure reports in accordance with 11 C.F.R. § 104.3(b)(3)(vii).<sup>13</sup> Depending on the  
13 aggregate dollar amounts and timing of the independent expenditures, a political committee  
14 that makes or contracts to make independent expenditures must also report the independent  
15 expenditures within 24 or 48 hours.<sup>14</sup> In addition, political committees including IEOPCs

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<sup>10</sup> First Submission at 1. The letter was received July 2, 2018. *Id.*

<sup>11</sup> Ohio First, 2018 Pre-Primary Report at 2. In addition to debt to Majority Strategies for the \$302,691.99 in independent expenditures disseminated during the Pre-Primary period, the report also disclosed additional debts to Majority Strategies in the amounts of \$30,000 for “survey research” and \$4,975 for “web service.” Ohio First, 2018 Pre-Primary Report at 2, 6-9.

<sup>12</sup> 52 U.S.C. § 30104(b)(4)(H)(iii); *see also* 11 C.F.R. § 104.3(b)(1)(vii).

<sup>13</sup> 11 C.F.R. § 104.4(a).

<sup>14</sup> A political committee that makes or contracts to make independent expenditures aggregating \$10,000 or more for an election in any calendar year, up to and including the 20th day before an election, must report these expenditures within 48 hours (in “48-hour reports”). 52 U.S.C. § 30104(g)(2); 11 C.F.R. § 104.4(b)(2). These 48-hour reports must be filed by the end of the second day “following the date on which a communication that constitutes an independent expenditure is publicly distributed or otherwise publicly disseminated.” 11 C.F.R. § 104.4(b)(2). A political committee that makes or contracts to make independent

1 that make expenditures in connection with a primary election must file a pre-primary report  
2 no later than 12 days before that primary, disclosing all receipts and disbursements as of the  
3 20th day before the primary election.<sup>15</sup>

4 Ohio First was under an obligation to disclose the independent expenditures made on  
5 or before April 18, 2018, within 48 hours of the communications' public distribution or  
6 dissemination.<sup>16</sup> Similarly, Ohio First was required to disclose the independent expenditures  
7 made between April 19 and May 6, 2018, within 24 hours of the communications' public  
8 distribution or dissemination.<sup>17</sup>

9 Ohio First voluntarily self-disclosed reporting violations related to over \$470,000 in  
10 independent expenditures and does not deny that it failed to timely file the associated 24-  
11 hour, 48-hour, and Pre-Primary Reports.<sup>18</sup> Specifically, Ohio First failed to timely file 24-  
12 Hour Reports disclosing \$169,437.67 in independent expenditures and 48-Hour Reports  
13 disclosing \$302,691.99 in independent expenditures.<sup>19</sup> Ohio First also acknowledged that it  
14 did not file its Pre-Primary Report, an election-sensitive report, until more than six weeks  
15 after it was due.<sup>20</sup> Accordingly, the Commission finds reason to believe that Ohio First

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expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the date of an election must report the expenditures within 24 hours (in "24-hour reports"). 52 U.S.C. § 30104(g)(1); 11 C.F.R. §§ 104.4(c), 109.10(d). These 24-hour reports must be filed before midnight on the day following the date on which the communication is publicly disseminated. 11 C.F.R. § 104.4(c).

<sup>15</sup> 52 U.S.C. § 30104(a)(4)(A); 11 C.F.R. § 104.5(c)(1).

<sup>16</sup> 11 C.F.R. § 104.4(b).

<sup>17</sup> 11 C.F.R. § 104.4(c).

<sup>18</sup> First Submission at 1; Second Submission at 1-2; Third Submission at 1.

<sup>19</sup> First Submission at 1.

<sup>20</sup> *Id.* Because Ohio First filed the election sensitive 24- hour, 48-hour, and Pre-Primary Reports after the date of the primary election, they are deemed "not filed" rather than filed late. *See* 11 C.F.R. § 111.43(d)(1), (e) (defining "election sensitive reports" and explaining their treatment as late or not filed).

MURs 7438 and 7476 (Ohio First PAC)

Factual and Legal Analysis

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- 1 violated 52 U.S.C. § 30104(a)(4)(A)(ii) by failing to timely file a pre-primary report and 52
- 2 U.S.C. § 30104(g) by failing to report its independent expenditures.