



FEDERAL ELECTION COMMISSION
Washington, DC 20463

VIA CERTIFIED AND ELECTRONIC MAIL

Matthew Nelson Tunstall

July 21, 2022

Los Angeles, CA 90014

RE: MUR 7468
Progressive Priorities PAC, *et al.*

Dear Mr. Tunstall:

The Federal Election Commission, the regulatory agency that administers and enforces the Federal Election Campaign Act of 1971, as amended (the “Act”), has ascertained information in the normal course of carrying out its supervisory responsibilities indicating that you may have violated the Act or Commission regulations by failing to accurately identify the treasurer of Progressive Priorities PAC (“PPP”) in your individual capacity. You are therefore being provided this notice and an opportunity to respond, if you wish to do so.

We have obtained information indicating that from May 11, 2016, when PPP filed its original Statement of Organization with the Commission, through August 15, 2019, when you amended PPP’s Statement of Organization to reflect that you were PPP’s treasurer, you served as treasurer of PPP and knowingly and willfully failed to accurately identify yourself as such in violation of the Act and Commission regulations, as explained below. 52 U.S.C. § 30103(b), (c); 11 C.F.R. § 102.2(a)(1).

Under the Act, every political committee must have a treasurer. 52 U.S.C. § 30102(a); *see also* 11 C.F.R. § 102.7(a). The duties of the treasurer include keeping an account of receipts and disbursements, preserving all records of receipts and disbursements, filing reports of receipts and disbursements with the Commission, and signing each report. 52 U.S.C. §§ 30102(c)-(d), 30104(a). It is the responsibility of a committee to report the name and address of its treasurer to the Commission, and any change in treasurer must be reported to the Commission within ten days. *Id.* § 30103(a)-(c); 11 C.F.R. §§ 102.1(d), 102.2(a)(1), (2).

The Office of General Counsel is reviewing information to determine whether we should recommend to the Commission that it find there is reason to believe you violated the Act or Commission regulations. A “reason to believe” finding is not a finding that any person violated the Act; rather, it means only that the Commission believes a violation may have occurred. In the event the Commission finds that there is reason to believe, it may authorize the Office of General Counsel

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to conduct an investigation to determine whether, in fact, a violation occurred or to assess the scope of the alleged violation. *See* 52 U.S.C. § 30109(a)(2). The Commission may also authorize the Office of General Counsel to enter into negotiations directed toward reaching a conciliation agreement in settlement of a matter at an earlier stage of the enforcement process prior to a Commission finding that there is probable cause believe that a person violated the Act or Commission regulations. *See* 11 C.F.R. § 111.18(d) and the enclosed procedures. Attachment 1.

Before we make a recommendation to the Commission, we offer you the opportunity to provide in writing a response to the information in this letter. Should you choose to respond, you may also submit any materials — including documents or affidavits from persons with relevant knowledge — that you believe may be relevant or useful to the Commission’s consideration of this matter. The Commission will take into account any additional information you provide in determining whether to find reason to believe that you violated the Act or Commission regulations.

Your response, if you choose to make one, must be submitted in writing within 15 days of this letter’s receipt. You should address any response to the Office of General Counsel, and the response should reference MUR 7468. Any correspondence sent to the Commission, such as a response, must be addressed to one of the following:

Mail

Federal Election Commission
 Office of Complaints Examination
 & Legal Administration
 Attn: Christal Dennis, Paralegal
 1050 First Street, NE
 Washington, DC 20463

OR

Email

cela@fec.gov

We strongly encourage you to file your response via email. If you submit your response via email, this Office will provide an electronic receipt by email. After 15 days, we will make our recommendations to the Commission. The Commission will then consider the recommendations and take appropriate action.

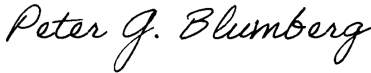
This matter will remain confidential unless you notify the Commission in writing that you wish the matter to be made public. *See* 52 U.S.C. § 30109(a)(4)(B), (a)(12). If you intend to be represented by counsel in this matter, please complete the enclosed form and return it to the Commission. Attachment 2. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.¹ Also, please be advised that you are required to preserve all documents, records, and materials relating to the subject matter in the complaint and discussed in this matter until we notify you that the Commission has closed its file in this matter. *See* 18 U.S.C. § 1519.

¹ The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).

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If you have any questions, please contact Christal Dennis at (202) 694-1519 or toll free at 1-800-424-9530. Information is also available on the Commission's website at www.fec.gov.

Sincerely,



Peter G. Blumberg
Assistant General Counsel