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December 27, 2018

VIA E-MAIL AND U.S. MAIL

Jeff S. Jordan
Assistant General Counsel
Complaints Examination & Legal Administration
Federal Election Commission
1050 First Street, N.E.
Washington, DC 20463

Re: MUR 7541/Response of Columbus Metropolitan Club

Dear Mr. Jordan:

As you well know, the Federal Election Commission ("FEC" or "the Commission") has long been plagued by frivolous complaints filed for purposes of harassment rather than to seek redress for serious violations of the Federal Election Campaign Act, ("FECA"),¹ or FEC regulations.² The complaint in this matter is the fourth frivolous complaint filed against the Columbus Metropolitan Club ("CMC" or "the Club") for pursuing its mission to promote the open exchange of information and ideas among the residents of central Ohio by providing a forum for the discussion of social, political, economic and cultural issues of concern to the community.³ More importantly, this is the third time that representatives of the Libertarian Party of Ohio ("Libertarian Party") have filed frivolous complaints against the CMC⁴ and the second time that Mr. Brown individually has prepared and filed such a complaint.⁵

This latest complaint is by far the most ludicrous. The Libertarian Party alleges that the CMC violated 52 U.S.C. § 30118(a)(formerly codified at 2 U.S.C. § 441b(a)) by excluding from a

¹52 U.S.C. §§ 30101 to 30146 (2015).

² Statement of Reasons of Vice Chairman Bradley A. Smith at 2, MUR 5338 (The Leadership Forum, et al.) ("Those of us who serve on this Commission know very well that a substantial number of complaints are filed as much to harass and embarrass political opponents prior to an election as to seek redress for any serious violation of the law.")

³ MUR 7541 (Columbus Metropolitan Club), MUR 6590 (Columbus Metropolitan Club), MUR 6111 (WOSU Public Media & Columbus Metropolitan Club) and MUR 5642 (George Soros).

⁴ MUR 7541 (Columbus Metropolitan Club), MUR 6590 (Columbus Metropolitan Club), MUR 6111 (WOSU Public Media & Columbus Metropolitan Club).

⁵ MUR 7541 (Columbus Metropolitan Club), MUR 6590 (Columbus Metropolitan Club).

congressional debate an individual who never qualified as a federal candidate⁶ and who terminated his principal campaign committee three weeks before the debate from which the Libertarian Party now claims he was unlawfully excluded.⁷

This must stop. The Commission should summarily dismiss the complaint in MUR 7541 without taking any further action.

Summary of Allegations

The essence of the Libertarian Party's complaint is that the CMC staged a congressional debate on October 19, 2018 that included the Republican and Democratic Party candidates for Ohio's 15th Congressional District, but did not include Johnathan Miller, an individual that the Libertarian Party alleges was also running an active campaign to represent that congressional district.⁸ The Libertarian Party alleges that the CMC failed to use pre-existing objective criteria in selecting the candidates for the debate in accordance with the requirements of 11 C.F.R. §§ 110.13 and 114.4 and that, accordingly, the cost of the debate constitutes a corporate contribution by the CMC to both the Republican and Democratic Party candidates in violation of 52 U.S.C. § 30118(a)(formerly codified at 2 U.S.C. § 441b(a)).⁹ The Commission has heard variations of this same allegation by the Libertarian Party against the CMC twice before and has rejected it on both occasions.¹⁰

The Libertarian Party also alleges that because video of the October 19, 2018 congressional debate was posted on the webpage of local television station WCMH-TV "with CMC's assistance and permission" this action by the television station constitutes a second violation of 52 U.S.C. § 30118(a) by the CMC.¹¹ The Commission has also heard versions this same allegation by representatives of the Libertarian Party against the CMC twice before and has rejected them both times.¹²

Statement of Facts and Discussion of Authority

There is no reason to believe that the CMC committed any violation of FECA or FEC regulations by staging the congressional debate on October 19, 2018. The CMC had no legal obligation to consider inviting Mr. Miller to participate in the October 19th congressional debate because he

⁶ 52 U.S.C. § 30101(2).

⁷ See FEC Form 3, Termination Report, Committee to Elect Johnathan Miller (September 25, 2018).

⁸ Complaint at ¶ 28.

⁹ Complaint at ¶¶ 1, 50-57. The author of the complaint, Mark Brown, holds the Newton D. Baker/Baker and Hostetler Chair of Law at Capital University School of Law. See <https://law.capital.edu/FacultyBio.aspx?ID=22612>. He seems to be unaware, however, that the Federal Election Campaign Act was re-codified in 2014 and cites throughout his complaint to sections of the Act by their former classification numbers. We have corrected his errors throughout whenever we refer to paragraphs of his complaint in our response.

¹⁰ MUR 6590 (Columbus Metropolitan Club), MUR 6111 (WOSU Public Media & Columbus Metropolitan Club).

¹¹ Complaint at ¶¶ 2-3, 58.

¹² MUR 6590 (Columbus Metropolitan Club), 6111 (WOSU Public Media & Columbus Metropolitan Club).

never qualified as a federal candidate under FECA and, in any event, withdrew from the campaign to represent Ohio's 15th Congressional District weeks before the debate was held. Nevertheless, the CMC did indeed consider whether to invite Mr. Miller to participate in the debate using pre-established objective criteria, but excluded him because he failed to meet those criteria. The fact that the CMC allowed a local television station to use video of the October 19th congressional debate in a news report does not in any way constitute a violation of FECA. Finally, even if the staging of the October 19th congressional debate could be construed to be a contribution to the Republican and Democratic candidates who qualified and participated in the debate, the amount involved is *de minimis* and does not merit any further expenditure of the Commission's scarce resources.

Johnathan Miller Never Met the Definition of a Federal Candidate and He Withdrew from the Campaign for Ohio's 15th Congressional District Long Before the October 19th Congressional Debate

FEC regulations govern the staging of federal candidate debates by 501(c)(3) organizations such as the CMC.¹³ Implicit in these regulations is the requirement that an individual must meet the legal definition of a federal candidate and be actually running for the office that is the subject of the debate at the time it occurs. Johnathan Miller was neither.

FECA and FEC regulations define the term "candidate" to include individuals who seek election to federal office and who either (1) receive contributions or make expenditures aggregating in excess of \$5,000 or (2) have established a principal campaign committee that receives contributions or makes expenditures in excess of \$5,000.¹⁴

Johnathan Miller filed a Statement of Candidacy on May 10, 2017 indicating that he intended to run as a Libertarian Party candidate to represent Ohio's 15th Congressional District in the House of Representatives and he designated the Committee to Elect Johnathan Miller as his principal campaign committee.¹⁵ The Committee to Elect Johnathan Miller filed a Statement of Organization the same day.¹⁶ Apparently, filing those two forms was essentially all that Johnathan Miller ever did to run for the House of Representatives. The Committee to Elect Johnathan Miller failed to file either a Mid-Year or Year-End Report for calendar year 2017. The Committee also failed to file the April 15th Quarterly Report and the July 15th Quarterly Report for 2018. In fact, the only report that the Committee to Elect Johnathan Miller ever filed with the Commission was its Termination Report.¹⁷ The Termination Report indicates that during its sixteen-month existence, the Committee to Elect Johnathan Miller received no contributions and

¹³ 11 C.F.R. §§ 110.13 & 114.4(f).

¹⁴ 52 U.S.C. § 30101(2)(A)&(B); 11 C.F.R. § 100.3.

¹⁵ FEC Form 2, Statement of Candidacy, Johnathan Wayne Miller, Jr. (May 10, 2017).

¹⁶ FEC Form 1, Statement of Organization, Committee to Elect Johnathan Miller (May 10, 2017).

¹⁷ FEC Form 3, Termination Report, Committee to Elect Johnathan Miller (September 25, 2018)(attached hereto as Exhibit A).

made no expenditures.¹⁸ The Commission approved the termination of the Committee to Elect Johnathan Miller on September 30, 2018.¹⁹

Apparently, the Committee to Elect Johnathan Miller existed only on paper and Mr. Miller never took any significant steps to actually run for the House of Representatives. Under these circumstances, the CMC was not required to consider inviting Mr. Miller to the October 19th congressional debate. FEC regulations only require staging organizations to use pre-established objective criteria to determine which *candidates* may participate in a debate.²⁰ Mr. Miller never met the legal definition of a “candidate” under FECA and FEC regulations²¹ and, accordingly, the CMC was not required to consider inviting him to the October 19th congressional debate in order to comply with 11 C.F.R. § 110.13. Moreover, even if Mr. Miller did qualify as a federal candidate, he effectively withdrew from the race when he terminated his principal campaign committee on September 25, 2018. In determining which candidates to invite to the October 19th congressional debate, the CMC was not required to consider a putative candidate who had abandoned the race three weeks before the debate was held. Finally, the Commission has rejected multiple claims of 11 C.F.R. § 110.13 violations by “third party candidates who appeared to receive marginal electoral support and evidenced little to no campaign organization.”²²

Despite the fact that the Committee to Elect Johnathan Miller filed a termination report indicating that it received no contributions and made no expenditures during its entire existence, the Libertarian Party asserts in the complaint that Mr. Miller was indeed running an active campaign, citing only a campaign website that was created by Mr. Miller when he filed his Statement of Candidacy.²³ When you access that website, however, you receive a message from Mr. Miller indicating that the site is still under construction – three months after he terminated his principal campaign committee. There is nothing to support the Libertarian Party’s assertion that Mr. Miller was running an actual campaign at the time that the CMC was determining which candidates to invite to the October 19th congressional debate.

¹⁸ See Exhibit A.

¹⁹ Letter from the Federal Election Commission to Kevin Boswick, Treasurer, Committee to Elect Johnathan Miller, approving termination (September 30, 2018)(attached hereto as Exhibit B).

²⁰ 11 C.F.R. § 110.13(c).

²¹ 52 U.S.C. § 30101(2)(A)&(B); 11 C.F.R. § 100.3.

²² General Counsel’s Report at 2, MURs 5817, 5836, 5847, 5852, 5858, and 5863 (Debate Cases from the ’06 Cycle).

²³ Complaint at ¶ 28. See also <http://csjmillervixsite.com/iamrunning4congress> (last accessed December 18, 2017).

The CMC Used Pre-Established Objective Criteria to Choose Participants for the October 19th Congressional Debate and Excluded Mr. Miller Because He Did Not Meet Those Criteria

The Libertarian Party alleges that the CMC violated 52 U.S.C. § 30118(a) by making corporate contributions to the campaigns of both the Republican and Democratic candidates for Ohio's 15th Congressional District by excluding Johnathan Miller from the October 19th congressional debate.²⁴ Contributions are broadly defined to include the giving of anything of value by any person for the purpose of influencing any federal election.²⁵ FEC regulations, however, specifically exclude from the definition of "contribution" any funds "provided to defray costs incurred in staging candidate debates" in accordance with FEC regulations.²⁶ Specifically, if the debate staging organization meets the requirements of 11 C.F.R. § 110.13(a)(1) and stages debates in accordance with 11 C.F.R. §§ 110.13(b) and (c) and 114.4(f), the organization's activities are exempt from FECA's definition of "contribution."²⁷

Only non-profit organizations described in 26 U.S.C. §§ 501(c)(3) or 501(c)(4) that do not endorse, support, or oppose political candidates or political parties may stage candidate debates.²⁸ The debate must include at least two candidates and not be structured to promote or advance one candidate over another.²⁹ Organizations that stage candidate debates must use pre-established objective criteria to determine which candidates may participate in the debate.³⁰ The staging organization may not use nomination by a particular political party as the sole objective criterion to determine whether to include a candidate in a debate.³¹ A nonprofit organization described in 11 C.F.R. § 110.13(a)(1) may use its own funds to defray costs in staging candidate debates held in accordance with 11 C.F.R. § 110.13 without being in violation of FECA.³²

The CMC is incorporated in Ohio and is a 501(c)(3) organization.³³ The Commission has previously held that the CMC is an organization that may stage candidate debates pursuant to 11 C.F.R. § 110.13(a)(1).³⁴ The organization's stated mission is to "connect people and ideas through community conversation" in a non-partisan manner and to "provide a platform for the

²⁴ Complaint at ¶¶ 1, 50-57.

²⁵ 52 U.S.C. § 30101(8)(a)(i); 11 C.F.R. § 100.52(a).

²⁶ 11 C.F.R. § 100.92.

²⁷ First General Counsel's Report at 2-3, MUR 5378 (Commission on Presidential Debates); First General Counsel's Report at 5-6, MURs 4987, 5004, 5021 (Commission on Presidential Debates); *see also* General Counsel's Report at 2, MURs 5817, 5836, 5847, 5852, 5858, and 5863 (Debate Cases from the '06 Cycle).

²⁸ 11 C.F.R. § 110.13(a)(1).

²⁹ 11 C.F.R. §§ 110.13(b)(1) and (2).

³⁰ 11 C.F.R. § 110.13(c).

³¹ *Id.*

³² 11 C.F.R. §§ 114.4(f)(1); First General Counsel's Report at 6, MURs 4987, 5004, 5021 (Commission on Presidential Debates).

³³ First General Counsel's Report at 5, MUR 6111 (Columbus Metropolitan Club). *See also* <http://www.columbusmetroclub.org/about-us>

³⁴ *Id.* at 7.

discussion of social, political, economic and cultural issues of concern to the community.”³⁵ “CMC achieves this mission by planning and implementing 60-70 public forums each year featuring nearly 200 speakers, panelists, debaters and moderators on a wide variety of topics.”³⁶ Indeed, “CMC stakes its 42-year reputation on being balanced, non-partisan, diverse and open to all perspectives throughout our programming year.”³⁷

Accordingly, the only issue here is whether Johnathan Miller was excluded from the October 19th congressional debate in accordance with 11 C.F.R. § 110.13(c)’s requirement that the exclusion be based on “pre-established objective criteria.” If the Commission determines that Mr. Miller was excluded from the October 19th congressional debate based on pre-established objective criteria, then the Commission must find that there is no reason to believe that CMC violated 52 U.S.C. § 30118(a).

Contrary to the allegations of the complaint, the CMC did indeed use pre-established objective criteria in selecting candidates for the October 19th congressional debate:

Columbus Metropolitan Club

General Election Debate Candidate Qualification Criterion 2018

1. Candidate must be on the ballot as of the date of the Debate AND
2. Must meet all of the other criteria under the Campaign Finance Act (“the Act”) AND
 - a. Must have raised and spent \$100,000 in compliance with the Act as reflected in the last filing statement prior to the Debate OR
 - b. Must have achieved at least 5% in any published Poll prior to the Debate. In order to be used in this section the poll must:
 - i. Have a margin of error of 4.5% or less
 - ii. Include all of the candidates on the ballot (for the election for which the poll is conducted) at the time the poll is taken.

If no such poll exists, then section (b) may not be used for Debate eligibility for any candidate and section (a) will be used to determine Debate eligibility for all candidates on the ballot for the election for which the Debate is being conducted.³⁸

In previous enforcement actions, the Commission has held that a number of different criteria meet the standard of objectivity required by 11 C.F.R. § 110.13(c). These include percentage of votes received by a candidate in a prior election, the level of campaign activity by the candidate, the candidate’s fundraising ability or standing in the polls and the candidate’s eligibility for

³⁵ <http://www.columbusmetroclub.org/mission>

³⁶ *Id.*

³⁷ <http://www.columbusmetroclub.org/about-us>

³⁸ Complaint at ¶ 19 and Attachment G.

ballot access.³⁹ Indeed, the CMC used several of these same criteria in a 2008 debate that was the subject of one of Libertarian Party's prior frivolous complaints.⁴⁰

The CMC excluded Mr. Miller from the October 19th congressional debate because he failed to meet these pre-established criteria. As discussed earlier, Mr. Miller failed to meet the definition of a federal candidate under FECA and had terminated his principal campaign committee three weeks before the debate.⁴¹ In addition to failing to qualify as a federal candidate, the Committee to Elect Johnathan Miller's one and only FEC report showed that it had received no contributions and made no expenditures during its entire sixteen-month existence.⁴² Accordingly, the CMC was entirely within its rights to exclude Mr. Miller from the October 19th congressional debate based on these pre-established objective criteria.

The Libertarian Party's complaint does not attack the objectivity of these criteria or their application to Mr. Miller. Instead, the complaint goes to great lengths to quibble about when the CMC reduced the criteria to writing and provided them to the Libertarian Party.⁴³ This argument is unavailing. "The choice of which objective criteria to use is largely left to the discretion of the staging organization" and 11 C.F.R. § 110.13(c) does not require the staging organization "to reduce their objective criteria to writing and to make the criteria available to all candidates before the debate."⁴⁴

Moreover, in response to a number of inquiries from the Libertarian Party, the CMC provided a detailed timeline of when it established the criteria and applied those criteria to select participants for the October 19th congressional debate:

The 2018 criteria were carried over from 2017. The date adopted, actually "revised" for 2018, would have been on or around Monday August 6th.

The dates 15th District candidate research was conducted was September 7 through September 20.

The dates this specific criterion was used to qualify, and later invite the 15th District candidates, was over the period between September 10 through October 5.

³⁹ See MURs 4956, 4962, and 4963 (Gore 2000, et al), MUR 5395 (Dow Jones et al), and MUR 5650 (University of Arizona).

⁴⁰ MUR 6111 (WOSU Public Media & Columbus Metropolitan Club).

⁴¹ See *supra* text accompanying notes 15-23.

⁴² See *supra* text accompanying notes 17-18.

⁴³ Complaint at ¶¶ 10-33.

⁴⁴ Federal Election Commission, *Explanation and Justification for Corporate and Labor Activity*, 60 Fed. Reg. 64260, 64262 (December 14, 1995).

The date Mr. Brown requested and was provided the criteria was October 8.⁴⁵

The CMC went well beyond the requirements of 11 C.F.R. § 110.13 by providing the Libertarian Party with this detailed explanation of its internal operating procedures.⁴⁶ One week later, the Libertarian Party repaid the CMC by filing this frivolous complaint in a clear example of bad faith.

WCMH-TV's Use of Video from the October 19th Congressional Debate in Its News Programming Does Not Constitute a Violation of 52 U.S.C. § 30118(a) by the CMC

The Libertarian Party also alleges that, because local television station WCMH-TV included video of the October 19th congressional debate in its news programming and posted that news program on the television station's website, the CMC committed a separate and independent violation of 52 U.S.C. § 30118(a).⁴⁷ This allegation is beyond ridiculous and merely reflects the Libertarian Party's ignorance of how the October 19th congressional debate was staged.

The CMC partnered with WCMH-TV to stage the October 19th congressional debate. WCMH-TV reporter Colleen Marshall moderated the debate and the television station sent its own cameraman to film the event. As is its standard practice for all public forums, the CMC recorded the entire debate and posted the video on its website shortly thereafter. The CMC video was available to the general public and could be downloaded by anyone without charge.

The video posted on WCMH-TV's website that the Libertarian Party is complaining about was produced by WCMH-TV, not the CMC. WCMH-TV used its own footage, plus video of the October 19th congressional debate downloaded from the CMC website. The resulting news program was aired by WCMH-TV on October 21, 2018 as that week's edition of WCMH's regularly scheduled Sunday public affairs program *NBC 4's The Spectrum*.⁴⁸

Needless to say, WCMH-TV's coverage of the October 19th congressional debate is covered by the press exemption.⁴⁹ Commission regulations exclude "any cost incurred in covering or carrying a news story, commentary or editorial by any broadcasting station" from the definitions of "contribution" or "expenditure."⁵⁰ The Commission, in explaining the legislative history of the press exemption, has stated that "Congress did not intend to 'limit or burden in any way the

⁴⁵ E-mail from Andrew Campbell, Vice President, Programming, Columbus Metropolitan Club, to Oliver Hall, Special Counsel, Libertarian National Committee (October 22, 2018). See Complaint at ¶ 30 and Attachment F.

⁴⁶ FEC regulations "do not require staging organizations . . . to reduce their objective criteria to writing and to make the criteria available to all candidates before the debate." Federal Election Commission, *Explanation and Justification for Corporate and Labor Activity*, 60 Fed. Reg. 64260, 64262 (December 14, 1995).

⁴⁷ Complaint at ¶¶ 2-3, 58.

⁴⁸ <https://www.nbc4.com/news/the-spectrum/full-video-rep-steve-stivers-opponent-rick-neal-face-off-in-15th-congressional-district-debate/1540016640>

⁴⁹ 52 U.S.C. § 30101(9)(B)(i).

⁵⁰ 11 C.F.R. § 100.73 and 100.132.

First Amendment freedom[] of the press [The exemption assures the unfettered right of newspapers, TV networks, and other media to cover and comment on political campaigns.]⁵¹

If WCMH-TV's coverage of the October 19th congressional debate does not constitute a "contribution" to the campaigns of the Republican and Democratic candidates who qualified for and participated in the debate, it can scarcely be argued that the CMC made such a contribution because it allowed WCMH-TV to cover the debate as a news event and the television station produced its on programming that included video that the station downloaded from the CMC's website without charge.

Any Further Action on the Libertarian Party's Complaint Would Be a Waste of Commission Resources

Even if the CMC's staging of the October 19th congressional debate could be construed as a contribution to the two candidates who participated, further action on this complaint would be a waste of the Commission's scarce resources. The total cost to the CMC of staging the debate was \$6,646, which included the venue, catering, indirect administration and marketing, as well as the cost of videoing the debate and posting it on the Club's website. The amount of any possible contribution would have to be apportioned between the Republican and Democratic Party candidates.⁵² Pursuing this matter over alleged contributions that, even if proved, would total less than the amount that each candidate could accept from just one separate segregated fund for the general election would not justify the effort of Commission personnel who could spend their time much more productively pursuing more serious allegations arising out of the 2018 election.

⁵¹ Advisory Opinion 2011-11 (Colbert) at 6 (quoting H.R. Rep. No. 93-1239, at 4 (1974)(alterations in original).

⁵² See Statement of Reason of Commissioners Hunter, Weintraub, McGahn, Bauerly, Peterson, and Walther at 3, MUR 6459 (Iowa Faith & Freedom Coalition)(calculating the amount of alleged corporate contributions to five potential candidates who spoke at a public event sponsored by the corporation would have to be apportioned among each of the speakers).

Conclusion

The Libertarian Party has been unable to generate any public support for its candidates in Ohio. Rather than do the hard work of grassroots organizing, the Libertarian Party has chosen to file a series of frivolous FEC complaints against the CMC and various news organizations in an effort to harass and intimidate them into providing a forum for putative Libertarian Party candidates whose campaigns exist only on paper.⁵³ The Commission should put a stop to this harassment by dismissing this complaint without taking any further action.

Sincerely,



Brett G. Kappel
Counsel for the Columbus Metropolitan Club

⁵³ MUR 7541 (CMC and WCMH-TV), MUR 6590 (CMC and Ohio News Network), MUR 6111 (CMC and WOSU Public Media)

EXHIBIT A

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT Example: If typing, type over the lines. 12FE4M5

COMMITTEE TO ELECT JOHNATHAN MILLER

ADDRESS (number and street) 10731 TOWNSHIP ROAD 24NW

Check if different than previously reported. (ACC)

SOMERSET OH 43783 CITY STATE ZIP CODE

2. FEC IDENTIFICATION NUMBER

C C00639831

3. IS THIS REPORT NEW OR AMENDED (N) (A)

STATE DISTRICT OH 15

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
January 31 Year-End Report (YE)

(b) 12-Day PRE-Election Report for the:

- Primary (12P) General (12G) Runoff (12R)
Convention (12C) Special (12S)
Election on MM/DD/YYYY in the State of

(c) 30-Day POST-Election Report for the:

- General (30G) Runoff (30R) Special (30S)
Election on MM/DD/YYYY in the State of

5. Covering Period 01 01 2017 through 09 25 2018

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

MILLER, JOHNATHAN, WAYNE, MR, Jr.

Signature of Treasurer

MILLER, JOHNATHAN, WAYNE, MR, Jr.

[Electronically Filed]

Date

09 25 2018

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. §30109.

Office Use Only

SUMMARY PAGE
of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 2 / 4

Write or Type Committee Name
COMMITTEE TO ELECT JOHNATHAN MILLER

Report Covering the Period: From: ^{M M / D D / Y Y Y Y} 01 01 / 2017 To: ^{M M / D D / Y Y Y Y} 09 25 / 2018

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	0.00	0.00
(b) Total Contribution Refunds (from Line 20(d))	0.00	0.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a))	0.00	0.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	0.00	0.00
(b) Total Offsets to Operating Expenditures (from Line 14)	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a))	0.00	0.00
8. Cash on Hand at Close of Reporting Period (from Line 27)	0.00	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3 (Revised 05/2016)

Write or Type Committee Name

COMMITTEE TO ELECT JOHNATHAN MILLER

Report Covering the Period: From: ^{M M / D D / Y Y Y Y} 01 01 2017 To: ^{M M / D D / Y Y Y Y} 09 25 2018

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A)	0.00	0.00
(ii) Unitemized	0.00	0.00
(iii) TOTAL of contributions from individuals	0.00	0.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) The Candidate	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(ii), (b), (c), and (d))..	0.00	0.00
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	0.00	0.00
13. LOANS:		
(a) Made or Guaranteed by the Candidate	0.00	0.00
(b) All Other Loans	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b))	0.00	0.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)	0.00	0.00
15. OTHER RECEIPTS (Dividends, Interest, etc.)	0.00	0.00
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)	0.00	0.00

11007474-11007474

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 4 / 4

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	0.00	0.00
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of All Other Loans	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	0.00	0.00

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	0.00
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	0.00
25. SUBTOTAL (add Line 23 and Line 24).....	0.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	0.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	0.00

PROSPECTUS

EXHIBIT B



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MS-K

September 30, 2018

BOSWICK, KEVIN ROBERT, TREASURER
COMMITTEE TO ELECT JOHNATHAN MILLER
10731 TOWNSHIP ROAD 24NW
SOMERSET, OH 43783

IDENTIFICATION NUMBER: C00639831

REFERENCE: TERMINATION REPORT (01/01/2017 - 09/25/2018)

Dear Treasurer:

Your committee's filing has been accepted as a termination. Your committee is no longer required to file reports on a periodic basis. If your committee has any remaining debts or residual funds, you are still responsible for settling all outstanding obligations and/or disposing of any residual funds. (11 CFR § 102.3(a)(1)) In addition, 52 U.S.C. § 30102(d) and Sections 102.9(c) and 104.14(b)(3) of the Commission's Regulations require that you maintain your records and copies of reports for inspection for at least three (3) years. You may also be required to respond to Commission requests for information regarding your committee's federal election activity and previously filed reports.

If your committee again becomes active in federal elections, it will be required to re-register with the Commission in accordance with the Federal Election Campaign Act and applicable Regulations. Your committee will be treated as a new entity by the Commission and should register as a new committee on FEC FORM 1, pursuant to 52 U.S.C. §§ 30102(g) and 30103(a).

If you have any questions concerning your status and requirements, please contact the Reports Analysis Division on the toll-free number, (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division). My local number is (202) 694-1132.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Jones".

Chris Jones
Campaign Finance Analyst
Reports Analysis Division