



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA ELECTRONIC AND FIRST CLASS MAIL

Mark Brewer, Esq.
Goodman Acker P.C.
17000 West 10 Mile Road, 2nd Floor
Southfield, MI 48075
mbrewer@goodmanacker.com

SEP 05 2019

RE: MUR 7616

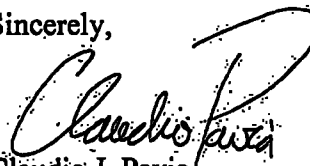
Dear Mr. Brewer:

On August 26, 2019, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of your client, the Oakland County Democratic Party and Phillip W. Reid in his official capacity as treasurer, of a violation of 52 U.S.C. § 30104(b)(3)(A) of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 104.3(a)(4)(i) of the Commission's regulations. Accordingly, the file has been closed in this matter.

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). Information derived in connection with any conciliation attempt will not become public without the written consent of the Respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1597.

Sincerely,


Claudio J. Pavia
Attorney

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Oakland County Democratic Party and
Phillip W. Reid in his official capacity
as treasurer

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MUR 7616

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (the "Commission" or "FEC"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Oakland County Democratic Party and Phillip W. Reid in his official capacity as treasurer (collectively, "OCDP" or the "Respondent") violated 52 U.S.C. § 30104(b)(3)(A) and 11 C.F.R. § 104.3(a)(4)(i) by failing to properly itemize contributions relating to OCDP's weekly bingo game fundraisers.

NOW, THEREFORE, the Commission and Respondent, 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

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

1. The treasurer shall keep an account of all contributions received by or on behalf of a political committee. 52 U.S.C. § 30102(c)(1); 11 C.F.R. § 102.9(a). "[T]he entire amount

1 paid as the purchase price for a fundraising item sold by a political committee is a contribution.”

2 11 C.F.R. § 100.53.

3 2. The treasurer shall accurately report the identification of each person who makes
4 an aggregate contribution in excess of \$200 within a calendar year (or election cycle, in the case
5 of an authorized committee) along with the date and amount of any such contribution. 52 U.S.C.
6 § 30104(b)(3)(A); 11 C.F.R. § 104.3(a)(4)(i). The term “identification,” for an individual, refers
7 to that person’s name, address, occupation, and employer. 52 U.S.C. § 30101(13)(A); 11 C.F.R.
8 § 100.12.

9 3. OCDP is a local party committee affiliated with the Michigan Democratic Party.
10 Since 1995, and through the present, OCDP has operated weekly bingo games to raise money for
11 its federal account.

12 4. On OCDP’s 2015 February, March, April, May, and Year-End Reports, and its
13 2016 March, April, May, and June Reports, OCDP failed to disclose adequate identification for
14 5,220 out of 9,376 of the contributions from individuals that require itemization (*i.e.*, individuals
15 who exceeded the \$200 aggregate contribution threshold).

16 5. OCDP received the improperly disclosed contributions described in paragraph 4
17 through its weekly bingo game fundraisers and used “Bingo Player/Bingo Player” to identify the
18 contributors’ occupation and employer. OCDP starting using this method in March 2013 and
19 continued doing so for approximately two years, until it was notified by the Commission’s
20 Reports Analysis Division, on September 27, 2015, that such employer and occupation entries
21 are not considered acceptable.

22 V. Respondent violated 52 U.S.C. § 30104(b)(3)(A) and 11 C.F.R. § 104.3(a)(4)(i)
23 by failing to properly itemize contributions relating to its bingo game fundraisers.

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1 VI. Respondent will take the following actions:

2 1. OCDP will pay a civil penalty to the Commission in the amount of
3 nineteen thousand nine hundred thirty-six dollars (\$19,936) pursuant to 52 U.S.C.
4 § 30109(a)(5)(A).

5 2. OCDP will cease and desist from violating 52 U.S.C. § 30104(b)(3)(A)
6 and 11 C.F.R. § 104.3(a)(4)(i).

7 VII. The Commission, on request of anyone filing a complaint under 52 U.S.C.
8 § 30109(a)(1) concerning the matter at issue herein or on its own motion, may review
9 compliance with this Agreement. If the Commission believes that this Agreement or any
10 requirement thereof has been violated, it may institute a civil action for relief in the United States
11 District Court for the District of Columbia.

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

14 IX. Respondent shall have no more than thirty (30) days from the date this Agreement
15 becomes effective to comply with and implement the requirements contained in this Agreement
16 and to so notify the Commission.

17 X. This Agreement constitutes the entire agreement between the parties on the matter
18 raised herein, and no other statement, promise, or agreement, either written or oral, made by

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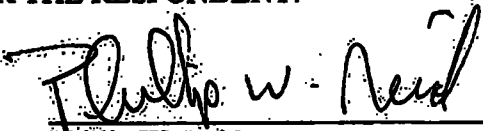
1 either party or by agents of either party that is not contained in this written Agreement shall be
2 enforceable.

3 FOR THE COMMISSION:

4 BY: 
5 Charles Kitcher
6 Acting Associate General Counsel for Enforcement

9/4/19
Date

7 FOR THE RESPONDENT:

8 
9 Phillip W. Reid
10 Treasurer, OCDP

8-5-2019
Date

0011-22210101