



FEDERAL ELECTION COMMISSION
Washington, DC

1 **MEMORANDUM**

2 **TO:** The Commission

4 **FROM:** Lisa J. Stevenson
5 Acting General Counsel

6 Charles Kitcher
7 Associate General Counsel for Enforcement

8 Adrienne C. Baranowicz
9 Deputy Associate General Counsel for Enforcement

10 **BY:** Mark Allen *MA*
11 Assistant General Counsel

12 Kenneth E. Sealls *KES*
13 Attorney

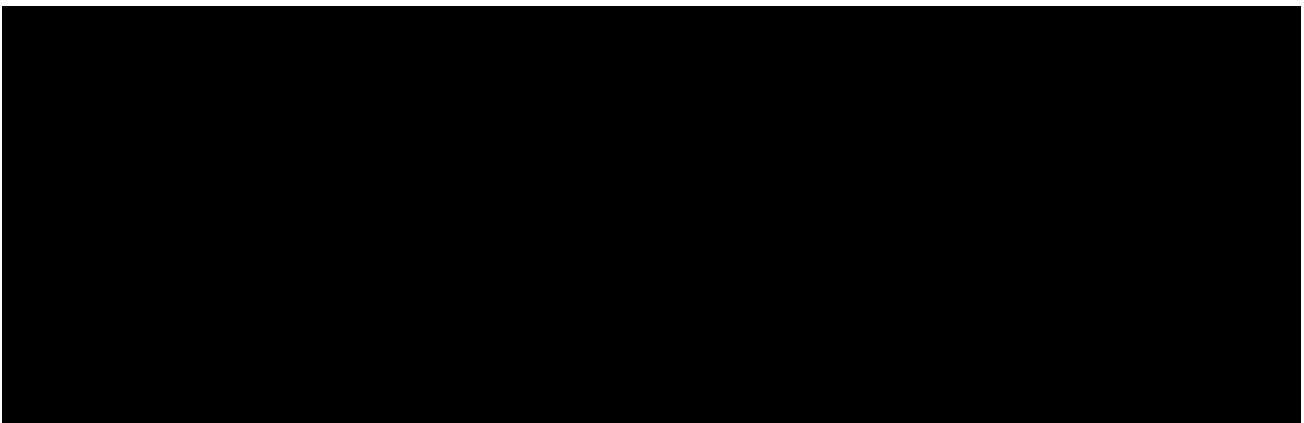
14 **DATE:** July 30, 2024

15 **SUBJECT:** MUR 7738 (Americans for Progressive Action USA, *et al.*)

16 **RE:** Recommendation to Accept Negotiated Conciliation Agreement

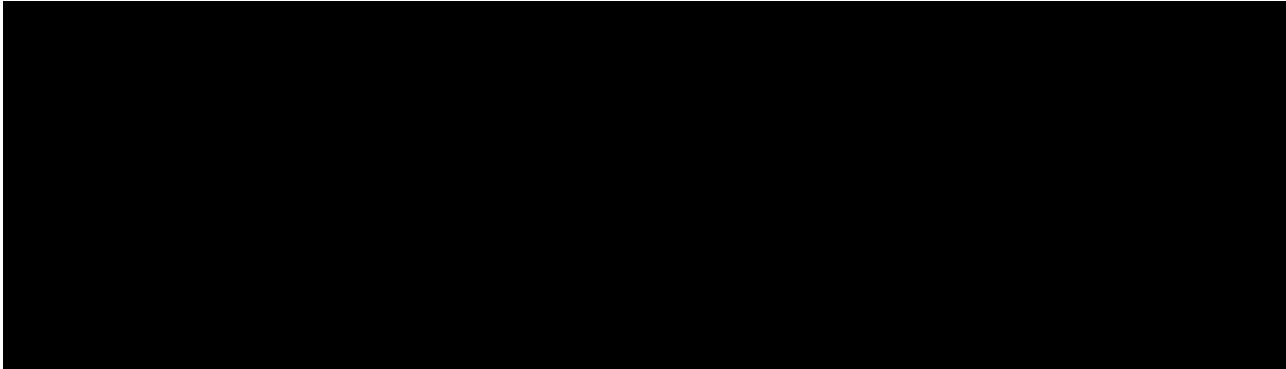
17 Attached is a conciliation agreement negotiated with Americans for Progressive Action USA and Christopher Henry Richardson f/k/a Christopher Henry Aragon in his official capacity as treasurer (the “Committee”) and Christopher Henry Richardson f/k/a Christopher Henry Aragon in his personal capacity (“Richardson”) (together, “Respondents”) that seeks to settle the Commission’s finding that there was reason to believe that the Committee and Richardson knowingly and willfully violated 52 U.S.C. § 30104(b) by filing false disclosure reports with the Commission in violation of the Federal Election Campaign Act of 1971, as amended (the “Act”).

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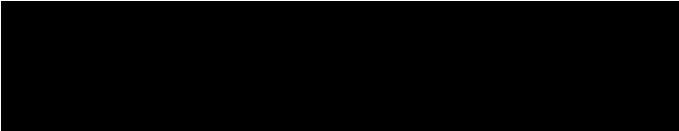


11 We believe the attached conciliation agreement represents a reasonable settlement under
12 the circumstances. Therefore, we recommend that the Commission accept the attached, signed
13 conciliation agreement negotiated with the Committee and Richardson, approve the appropriate
14 letters, and close the file.

15 **RECOMMENDATIONS:**

16 1. Accept the attached conciliation agreement with Americans for Progressive Action
17 USA and Christopher Henry Richardson f/k/a Christopher Henry Aragon in his
18 official capacity as treasurer and Christopher Henry Richardson f/k/a Christopher
19 Henry Aragon in his personal capacity;
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21 2. Approve the appropriate letters; and
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23 3. Close the file.

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³ The Commission has previously entered into conciliation agreements without a civil penalty with respondents who are criminal defendants in parallel proceedings and who have demonstrated their inability to pay a civil penalty. *See, e.g.*, Cert. ¶ 1 (Nov. 15, 2023), MUR 7677 (James R. Schwartz II) (accepting pre-probable cause conciliation agreement with respondent who knowingly and willfully violated 52 U.S.C. §§ 30102(c), 30103(b), (c), 30104(b), 30114(b)(1) and 11 C.F.R. §§ 102.2(a)(1), (2), 102.9, and 104.3, 104.14(d) by, *inter alia*, knowingly converting campaign funds to personal use and causing the committee to inaccurately report its receipts, disbursements, and cash on hand; Cert. ¶ 1 (Apr. 26, 2019), MUR 7225 (Jack Wu) (accepting pre-probable cause conciliation agreement with respondent who knowingly and willfully violated 52 U.S.C. §§ 30102(b)(3) and (c), 30104(b), and 30114(b)(1) by converting campaign funds for personal use, commingling funds with his own, and failing to keep complete records and file accurate reports with the Commission in connection with the embezzlement of funds, who was criminally prosecuted).

⁴ As shown in the attached redlined Conciliation Agreement at ¶ 6, we have corrected a citation to reflect the provision of the U.S. Code to which Richardson pleaded guilty regarding his false disclosure reports with the Commission, to 18 U.S.C. § 1519.