



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

June 7, 2024

**VIA EMAIL**

Paul E. Sullivan, Esq.  
Sullivan & Associates LLC  
601 Pennsylvania Ave., N.W., Suite 900  
Washington, DC 20004  
[peasullivan@icloud.com](mailto:peasullivan@icloud.com)

RE: MUR 8196  
The Moderate PAC, Inc. and Marysue  
Strong in her official capacity as  
treasurer

Dear Mr. Sullivan:

On May 8, 2024, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of your client, The Moderate PAC, Inc. and Marysue Strong in her official capacity as treasurer (the "Committee"), in settlement of a violation of 52 U.S.C. §§ 30104(b) and (g), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter, effective today.

Documents related to the case will be placed on the public record today. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). A copy of the conciliation agreements is enclosed for your information. 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 first installment of the civil penalty is due within 30 days of the conciliation agreement's effective date, and the final installment is due within 90 days of the effective date. If you have any questions, please contact me at (202) 694-1507 or [cjacksonjones@fec.gov](mailto:cjacksonjones@fec.gov).

Sincerely,

A handwritten signature in cursive script that reads "Camilla Jackson Jones".

Camilla Jackson Jones  
Attorney

Enclosure  
Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	MUR 8196
The Moderate PAC, Inc. and Marysue Strong in her official)	)	
capacity as treasurer	)	

**CONCILIATION AGREEMENT**

This matter was initiated by the Federal Election Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that The Moderate PAC, Inc. and Marysue Strong in her official capacity as treasurer (the "Committee" or "Respondent") violated 52 U.S.C. §§ 30104(b), (g) of the Federal Election Campaign Act of 1971, as amended (the "Act").

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 pertinent facts in this matter are as follows:

1. The Committee is an independent expenditure-only political committee that registered with the Commission in September 2021.

2. Marysue Strong is the treasurer of the Committee.

3. The Act provides that political committees registered with the Commission must file periodic reports disclosing their receipts and disbursements. 52 U.S.C. § 30104(a).

4. An independent expenditure is an expenditure that expressly advocates the election or defeat of a clearly identified federal candidate, and is not made in concert or cooperation with or at the request or suggestion of such candidate, the candidate's authorized political committee, or their agents. 52 U.S.C. § 30101(17); *see also* 11 C.F.R. §§ 100.22(a), (b). In addition to a political committee's regular reporting obligations, the Act further requires additional independent expenditure reporting within 24 hours of the expenditure when a person 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. 52 U.S.C. § 30104(g); 11 C.F.R. § 109.10(d).

5. In 2022, the 20-day period requiring 24-Hour Reports for general election expenditures began on October 20, 2022 and ended on November 6, 2022. On November 21, 2022, the Committee filed a late 24-Hour Report disclosing four independent expenditures, which had been made between October 24 and November 1, 2022. On December 7, 2022, the Committee filed another late 24-Hour Report to support three independent expenditures, which had been made between October 28, 2022 and November 2, 2022. Collectively, these 24-Hour Reports disclosed seven independent expenditures totaling \$582,652. On December 8, 2022, the Committee filed its 2022 30-Day Post-Election Report, covering the period October 20, 2022 through November 28, 2022. That report disclosed the same seven independent expenditures totaling \$582,652, all of which were made within 20 days of the November 8, 2022 general

MUR 8196 (The Moderate PAC, Inc.)  
Conciliation Agreement  
Page 3 of 5

election. The Committee eventually filed 24-Hour Reports for these independent expenditures, but all were filed late and several weeks after the general election.

6. The Committee also failed to disclose all financial activity on its 2022 12-Day Pre-General Report filed October 20, 2022. On October 20, 2022, the Committee filed its original 2022 12-Day Pre-General Report covering the period from October 1, 2022, through October 19, 2022. The report disclosed zero dollars in disbursements on Line 21(b) (Other Federal Operating Expenditures) and zero dollars on Line 29 (Other Disbursements) of the Detailed Summary Page. On October 31, 2022, the Committee filed an Amended 2022 12-Day Pre-General Report, disclosing an increase of \$49,677.50 in disbursements from the original report. On November 1, 2022, the Committee filed a Second Amended 2022 12-Day Pre-General Report, which disclosed additional disbursements, for a total of \$63,340, that had not been disclosed on the original report.

7. Respondent contends that its Treasurer, who was serving for the first time as a treasurer of a federal committee, attended several FEC sponsored online classes regarding reporting duties, and made good faith efforts to comply with the Committee's reporting obligations. Respondent also contends that the Treasurer made an attempt to file each of the 24-Hour Reports on the five separate dates referenced in section IV-5 above and, despite not correctly completing the filing transaction or receiving any confirmation, it was her mistaken belief that the seven transactions at issue had been properly entered and up-loaded into the Software. Respondent contends that there was no intent to delay the filing of the disclosure reports or to conceal the information contained in those filings.

V. Respondent violated 52 U.S.C. §§ 30104(b), (g) by failing to timely report disbursements and failing to timely file 24-Hour Reports of independent expenditures.

MUR 8196 (The Moderate PAC, Inc.)  
Conciliation Agreement  
Page 4 of 5

VI. 1. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Fifty-Eight Thousand Dollars (\$58,000) pursuant to 52 U.S.C. § 30109(a)(5)(A).

2. Respondent will cease and desist from committing violations of 52 U.S.C. §§ 30104(b), (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. Respondent shall pay half of the civil penalty (\$29,000) within thirty (30) days of the date this Agreement becomes effective. Respondent shall have no more than ninety (90) days from the date this Agreement becomes effective to pay the balance of the civil penalty (\$29,000) and to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

MUR 8196 (The Moderate PAC, Inc.)  
 Conciliation Agreement  
 Page 5 of 5

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:

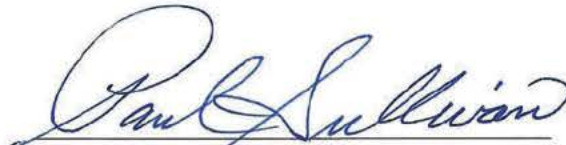
Lisa J. Stevenson  
 Acting General Counsel

BY: Charles Kitcher  
 Charles Kitcher  
 Associate General Counsel  
 for Enforcement

Digitally signed by  
 Charles Kitcher  
 Date: 2024.05.31  
 09:39:38 -04'00'

5/31/24  
 Date

FOR THE RESPONDENT:

  
 Paul E. Sullivan  
 Corporate General Counsel for Respondent

4-25-24  
 Date