

23L-36

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: July 20, 2023

ANALYST: Michael Dobi

I. COMMITTEE: Country Over Party PAC (f/k/a Kinzinger for Congress)¹
C00458877
Paul Kilgore, Treasurer
P.O. Box 2365
Ottawa, IL 61350

II. RELEVANT STATUTES: 11 C.F.R. § 102.9(e)
11 C.F.R. § 110.1(b)(3)
11 C.F.R. § 110.2(b)(3)

III. BACKGROUND:

Excessive, Prohibited and Other Impermissible Contributions: Failure to Refund or Redesignate General Election Contributions within the Permissible Timeframe after the Candidate Announced Retirement

Country Over Party PAC, formerly known as Kinzinger for Congress (“the Committee”) received 2022 General Election contributions totaling \$133,450.00 that were not refunded or redesignated within the permissible timeframe from the date Congressman Adam Kinzinger (“the Candidate”) announced his retirement, October 29, 2021². The contributions total \$133,450.00 as disclosed on the 2021 April Quarterly, 2021 July Quarterly, 2021 October Quarterly, and 2021 Year-End Reports (Attachment 1).

¹ The Committee filed an [Amended Statement of Organization \(FEC Form 1\)](#) on February 21, 2023, changing its name from Kinzinger for Congress to Country Over Party PAC and changing its committee type to a nonqualified PAC.

² <https://www.politico.com/news/2021/10/29/rep-adam-kinzinger-wont-seek-reelection-next-year-517599> and <https://www.nbcnews.com/politics/congress/gop-rep-adam-kinzinger-outspoken-trump-critic-retiring-congress-n1282715>.

2021 April Quarterly Report

During the [2021 April Quarterly](#) reporting period, January 1, 2021 through March 31, 2021, the Committee received \$73,600.00 in 2022 General Election contributions from individuals and a multicandidate committee that were not remedied within the permissible timeframe (Attachment 1).

2021 July Quarterly Report

During the [2021 July Quarterly](#) reporting period, April 1, 2021 through June 30, 2021, the Committee received \$30,900.00 in 2022 General Election contributions from individuals and multicandidate committees that were not remedied within the permissible timeframe (Attachment 1).

2021 October Quarterly Report

During the [2021 October Quarterly](#) reporting period, July 1, 2021 through September 30, 2021, the Committee received \$25,050.00 in 2022 General Election contributions from individuals that were not remedied within the permissible timeframe (Attachment 1).

2021 Year-End Report

During the [2021 Year-End](#) reporting period, October 1, 2021 through December 31, 2021, the Committee received \$3,900.00 in 2022 General Election contributions from individuals that were not remedied within the permissible timeframe (Attachment 1).

On October 29, 2021, the Candidate announced his retirement.¹

On June 30, 2022, a [Request for Additional Information \("RFAI"\)](#) referencing the Amended 2021 Year-End Report, received March 28, 2022, was sent to the Committee. The RFAI noted the Committee's receipt of apparent 2022 General Election contributions that were not refunded or redesignated within the permissible timeframe from the date the Candidate announced his retirement and requested that the Committee take corrective action concerning these contributions.

On August 2, 2022, the Committee filed an [FEC Form 99 \(Miscellaneous Electronic Submission\)](#) clarifying that two (2) contributions cited in the RFAI were timely remedied.

On April 14, 2022, and October 12, 2022, the Committee filed its 2022 April Quarterly and 2022 October Quarterly Reports, respectively, which disclosed refunds of all of the general election contributions (Attachment 1).

¹ <https://www.politico.com/news/2021/10/29/rep-adam-kinzinger-wont-seek-reelection-next-year-517599> and <https://www.nbcnews.com/politics/congress/gop-rep-adam-kinzinger-outspoken-trump-critic-retiring-congress-n1282715>.

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Since October 17, 2022, RAD logged three (3) communications with a representative of the Committee which reflect efforts to help the Committee voluntarily comply with the Act. RAD was able to connect with the Committee on two (2) of these occasions and notified the Treasurer and a Committee representative that the matters would be referred to another office at the Commission for further review (Attachment 2).

Filings and correspondence related to the Committee can be found on the [FEC web site](#). To date, no further communications have been received from the Committee regarding this matter.

Country Over Party PAC (f/k/a Kinzinger for Congress) (C00458877)

2022 General Election Contributions Refunded Outside Permissible Timeframes, Listed by Contributor

Name	Date of Receipt	Contribution Amount	Date of Refund	Amount Not Remedied within Timeframe	Remedied # Days since Candidate's Retirement (10/29/2021)
Individuals					
AURIEMMA, WILLIAM MR.	8/23/2021	\$2,000.00	8/23/2022	\$2,000.00	298
BARRON, THOMAS	5/14/2021	\$2,100.00	9/7/2022	\$2,100.00	313
BEAR, BRIAN DR.	3/12/2021	\$2,900.00	8/25/2022	\$2,900.00	300
BEKEMEYER, SCOTT MR.	6/17/2021	\$2,900.00	9/7/2022	\$2,900.00	313
CARLSEN, DAVID	5/23/2021	\$2,900.00	8/25/2022	\$2,900.00	300
CARSON, RUSSELL	8/2/2021	\$2,900.00	8/23/2022	\$2,900.00	298
CLARK, ALFRED	5/24/2021	\$2,900.00	8/25/2022	\$2,900.00	300
COBB, STEVE	7/12/2021	\$2,900.00	8/23/2022	\$2,900.00	298
COOPER, CAREY	2/1/2021	\$2,700.00	8/25/2022	\$2,700.00	300
CRANE, JEFFREY MR.	3/23/2021	\$1,000.00	8/26/2022	\$1,000.00	301
DION, STACEY MRS.	3/23/2021	\$2,100.00	9/7/2022	\$2,100.00	313
DUCHOSSOIS, CRAIG J. MR.	3/12/2021	\$2,900.00	8/26/2022	\$2,900.00	301
DUCHOSSOIS, JANET MRS.	3/12/2021	\$2,900.00	8/26/2022	\$2,900.00	301
DUNN, ALEX	10/25/2021	\$2,900.00	8/23/2022	\$2,900.00	298
FIFE, JOHN	9/27/2021	\$1,000.00	8/23/2022		
FIFE, JOHN	10/27/2021	\$1,000.00	8/23/2022	\$2,000.00	298
FRANK, JIM MR.	2/10/2021	\$200.00	8/26/2022		
FRANK, JIM MR.	2/10/2021	\$2,700.00	8/26/2022	\$2,900.00	301
FRIEDMAN, JOHN MR.	9/30/2021	\$1,100.00	8/26/2022	\$1,100.00	301
FUNK, DANIEL MR.	3/6/2021	\$2,900.00	9/29/2022	\$2,900.00	335
GATES, JOHN S. MR. JR.	3/12/2021	\$2,900.00	8/26/2022	\$2,900.00	301
GINSBURG, JAMES MR.	2/9/2021	\$2,900.00	8/26/2022	\$2,900.00	301
GROHNE, DAVID F. MR.	3/26/2021	\$2,900.00	8/26/2022	\$2,900.00	301
HAIDER, DONALD H. MR.	6/28/2021	\$150.00	8/26/2022	\$150.00	301
HILLER, DAVID MR.	3/21/2021	\$2,900.00	8/26/2022	\$2,900.00	301
HOCHBERG, LARRY J. MR.	2/26/2021	\$2,900.00	1/21/2022	\$2,900.00	84
ISAAC, PAUL	5/23/2021	\$500.00	9/7/2022	\$500.00	313
JORDAN, LAWRENCE MR.	3/25/2021	\$1,000.00	8/26/2022	\$1,000.00	301
JOYCE, ASHLEY D. MRS.	3/26/2021	\$2,900.00	8/26/2022	\$2,900.00	301

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KALOPSIS, KENRICK	5/11/2021	\$2,100.00	8/25/2022	\$2,100.00	300
LOOKABAUGH, TOM	9/28/2021	\$2,900.00	9/7/2022	\$2,900.00	313
MCCORMACK, ROBERT C. MR.	3/26/2021	\$2,900.00	9/7/2022	\$2,900.00	313
MCGIVERN, TIM MR.	9/13/2021	\$600.00	8/23/2022	\$600.00	298
MOFFETT, EDWARD	6/28/2021	\$250.00	8/23/2022		
MOFFETT, EDWARD	8/19/2021	\$2,650.00	8/23/2022	\$2,900.00	298
MORTON, PETER MR.	3/26/2021	\$2,900.00	9/7/2022	\$2,900.00	313
MUTZ, GREGORY T. MR.	1/25/2021	\$2,800.00	8/26/2022	\$2,800.00	301
MUTZ, LAURA MRS.	1/25/2021	\$2,800.00	9/7/2022	\$2,800.00	313
O'SCANNLAIN, SEAN MR.	3/31/2021	\$2,900.00	9/7/2022	\$2,900.00	313
PEABODY, MALCOLM E.	8/14/2021	\$2,100.00	8/25/2022	\$2,100.00	300
PERL, SANFORD MR.	2/8/2021	\$2,900.00	9/7/2022	\$2,900.00	313
PRITZKER, JOHN	8/2/2021	\$2,900.00	8/25/2022	\$2,900.00	300
ROBINSON, ADAM	6/30/2021	\$2,100.00	8/23/2022	\$2,100.00	298
SHAW, DANNY	9/28/2021	\$2,900.00	8/25/2022	\$2,900.00	300
SHETH, VEERAL	9/9/2021	\$100.00	9/7/2022	\$100.00	313
STRONG, SANDRA MRS.	2/19/2021	\$2,700.00	9/7/2022	\$2,700.00	313
STRONG, WILLIAM H. MR.	2/19/2021	\$2,700.00	9/7/2022	\$2,700.00	313
TEMPLETON, W.M.	5/12/2021	\$2,900.00	9/7/2022	\$2,900.00	313
THIEL, MICHAEL	1/16/2021	\$2,200.00	8/25/2022	\$2,200.00	300
TILLMAN, BRIAN MR.	3/6/2021	\$2,900.00	8/26/2022	\$2,900.00	301
TILLMAN, MICHAEL	1/14/2021	\$2,200.00	8/26/2022	\$2,200.00	301
WASCOM, MICHAEL D. MR.	8/14/2021	\$1,000.00	8/26/2022	\$1,000.00	301
YOUNG, NICOLE MS.	4/26/2021	\$2,100.00	9/7/2022	\$2,100.00	313
Multicandidate Political Action Committees					
ALLIED PILOTS ASSOCIATION PAC	3/30/2021	\$5,000.00	9/7/2022	\$5,000.00	313
NATIONAL ASSOCIATION OF BROADCASTERS PAC	6/2/2021	\$5,000.00	9/7/2022	\$5,000.00	313
SOUTHWEST AIRLINES PILOTS' ASSOCIATION PAC	6/30/2021	\$5,000.00	9/7/2022	\$5,000.00	313
Total:				\$133,450.00	