

**FEDERAL ELECTION COMMISSION**  
**FIRST GENERAL COUNSEL’S REPORT**

**RR 23L-26**

DATE OF REFERRAL: June 9, 2023

DATE OF AMENDED REFERRAL: Oct. 25, 2023

DATES OF NOTIFICATION: June 14, 2023

Oct. 26, 2023

LAST RESPONSE RECEIVED: Dec. 11, 2023

DATE ACTIVATED: Jan. 30, 2024


 STATUTE OF LIMITATIONS: Jan. 3, 2027–

Apr. 16, 2027

ELECTION CYCLE: 2022

**SOURCE:**

Internally Generated

**RESPONDENT:**
 Pat Dowell for Congress and Mattie Lacy  
 in her official capacity as treasurer

**RELEVANT STATUTES  
 AND REGULATIONS:**

52 U.S.C. § 30104(b)

52 U.S.C. § 30116(a), (f)

52 U.S.C. § 30118(a)

11 C.F.R. § 102.5(b)

11 C.F.R. § 102.9(e)

11 C.F.R. § 103.3(b)

11 C.F.R. § 104.3(a)

11 C.F.R. § 110.1(b)(3)(i), (g)

11 C.F.R. § 110.9

11 C.F.R. § 114.2(d)

**INTERNAL REPORTS CHECKED:**

Disclosure Reports

**FEDERAL AGENCIES CHECKED:**

None

**I. INTRODUCTION**

The Reports Analysis Division (“RAD”) referred Pat Dowell for Congress and Mattie Lacy in her official capacity as treasurer (the “Committee”) to the Office of General Counsel (“OGC”) for failing to timely remedy excessive and prohibited 2022 primary election contributions totaling \$55,900 and failing to timely remedy contributions designated for the 2022

1 general election totaling \$33,400 after the candidate lost the 2022 primary election, in violation  
2 of the Federal Election Campaign Act of 1971, as amended (the “Act”).<sup>1</sup> To date, none of the  
3 excessive and prohibited contributions cited in the Referral have been remedied. RAD later  
4 amended its Referral to add the Committee disclosing a cash-on-hand discrepancy totaling  
5 \$48,925.79 on its 2022 July Quarterly Report and an additional cash-on-hand discrepancy  
6 totaling \$80,519.34 on its 2023 April Quarterly Report.<sup>2</sup> To date, no corrective action has been  
7 taken regarding the cash-on-hand discrepancies.

8 The Committee filed a Response to the Amended Referral, attaching a Declaration  
9 submitted by the candidate, Patricia Dowell.<sup>3</sup> The Response acknowledges the reporting  
10 violations but asserts that they were the result of inexperience on the part of the Committee and  
11 lack of controls and oversight by the campaign manager/compliance specialist hired by Dowell.<sup>4</sup>  
12 In her Declaration, Dowell contends that the Committee has no remaining funds with which to  
13 make any refunds of excessive or prohibited contributions, and has no staff or compliance  
14 resources.<sup>5</sup> Finally, the Response states that the Committee would like to work with the  
15 Commission to resolve this matter and requests pre-probable cause conciliation.<sup>6</sup>

16 For the reasons discussed below, we recommend that the Commission open a Matter  
17 Under Review (“MUR”) and find reason to believe that the Committee violated: (1) 52 U.S.C.  
18 § 30116(f) and 11 C.F.R. § 110.9 by knowingly accepting excessive contributions during the

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<sup>1</sup> Referral at 1, 3 (June 9, 2023).


<sup>2</sup> Amended Referral at 1, 3 (Oct. 25, 2023).

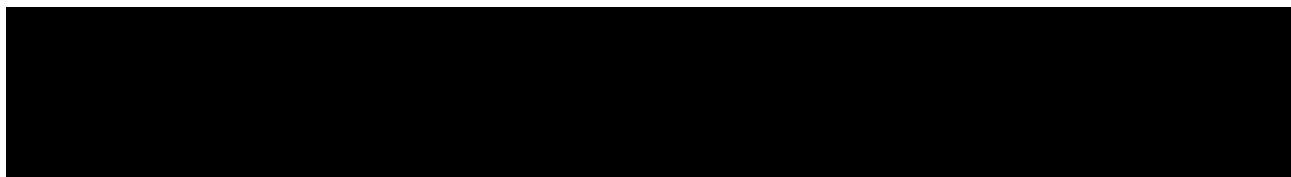
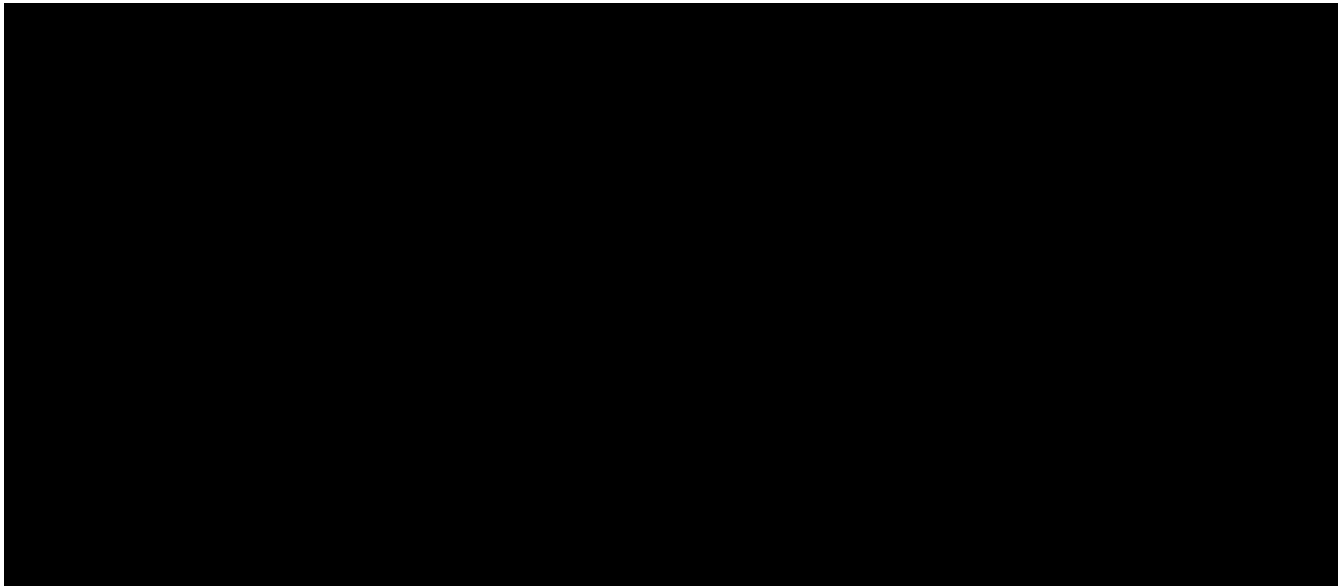
<sup>3</sup> Resp. (Dec. 11, 2023); *id.*, Ex. 2 Pat Dowell Decl. (“Dowell Decl.”) (Dec. 10, 2023).

<sup>4</sup> Resp. at 2.

<sup>5</sup> Dowell Decl. ¶ 16.

<sup>6</sup> Resp. at 3.

1 2022 primary election; (2) 52 U.S.C. § 30118(a) and 11 C.F.R. § 114.2(d) by knowingly  
2 accepting corporate contributions; (3) 11 C.F.R. § 103.3(b) by accepting contributions from  
3 unregistered organizations without ascertaining whether the underlying funds complied with the  
4 limitations and prohibitions of the Act; (4) 52 U.S.C. § 30116(f) and 11 C.F.R. § 102.9(e) by  
5 failing to timely remedy general election contributions; and (5) 52 U.S.C. § 30104(b)(1) and  
6 11 C.F.R. § 104.3(a)(1) by failing to accurately report its cash-on-hand. Additionally, we  
7 recommend that the Commission authorize pre-probable cause conciliation and approve the  
8 attached conciliation agreement 



## II. FACTUAL BACKGROUND

The Committee is the principal campaign committee for Patricia Dowell, a candidate in the 2022 election for Illinois' First Congressional District.<sup>8</sup> The Committee's treasurer of record is Mattie Lacy.<sup>9</sup> On June 28, 2022, Dowell lost the Illinois primary election.<sup>10</sup>

According to the Referral, the Committee received and failed to remedy: (1) \$44,000 in excessive 2022 primary election contributions from individuals that exceeded the \$2,900 contribution limit and primary election contributions received after the primary election date in the absence of net debts outstanding for the primary election, reported on the Amended 2022 April Quarterly and 12-Day Pre-Primary Reports and the 2022 July Quarterly and October Quarterly Reports;<sup>11</sup> (2) \$5,650 in prohibited corporate contributions and contributions from LLCs without attribution information (indicating these were corporate LLCs), reported on the Amended 2022 April Quarterly and 12-Day Pre-Primary Reports;<sup>12</sup> (3) \$6,250 from unregistered organizations apparently without ascertaining whether the underlying funds complied with the limitations and prohibitions of the Act (because the Committee did not provide notations indicating that the funds were verified permissible), reported on the Amended 2022 April Quarterly and 12-Day Pre-Primary Reports;<sup>13</sup> and (4) \$33,400 in contributions designated for the

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<sup>8</sup> Patricia R. Dowell, Statement of Candidacy (Jan. 6, 2022).

<sup>9</sup> Pat Dowell for Congress, Amended Statement of Organization (Jan. 21, 2022).

<sup>10</sup> *2022 General Primary Election Results*, ILLINOIS STATE BOARD OF ELECTIONS, <https://elections.il.gov/ElectionOperations/ElectionVoteTotals.aspx?T=637980584556772869> (last visited May 1, 2024).

<sup>11</sup> Specifically, the Committee received \$32,750 in contributions that exceeded the \$2,900 limit prior to the primary election and \$11,250, including \$4,750 that were excessive, in contributions designated for the primary election but received after the primary election. Amended Referral, Attach. 1 The Committee did not appear to disclose any net debts outstanding for the primary election. Amended Referral at 1-2 nn.1-2.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* at 2. The Amended 2022 April Quarterly Report disclosed contributions from six unregistered organizations consisting of one Illinois registered state candidate committee (Friends to Elect Lamont Robinson) and

2022 general election that were not remedied after the candidate lost the primary election, reported on the Amended 2022 April Quarterly and 12-Day Pre-Primary Reports, and the 2022 July Quarterly Report. RAD sent the Committee Requests for Additional Information (“RFAIs”) addressing these contributions on June 7, October 6, and November 24, 2022; the Committee did not respond to the RFAIs or take any corrective action.<sup>14</sup>

Finally, the Committee’s Amended 2022 12-Day Pre-Primary Report disclosed an ending cash-on-hand balance of \$248,184.50, but its 2022 July Quarterly Report disclosed a beginning cash-on-hand balance of \$297,110.29, a \$48,925.79 discrepancy.<sup>15</sup> In addition, the Committee’s 2022 Year-End Report disclosed an ending cash-on-hand of \$80,519.34 but its 2023 April Quarterly Report disclosed a beginning cash-on-hand balance of \$0.00, an \$80,519.34 discrepancy.<sup>16</sup> RAD sent the Committee RFAIs on October 6, 2022, and August 2, 2023, regarding these discrepancies, but the Committee did not respond or take any corrective action.<sup>17</sup>

Below is a chart summarizing the excessive and prohibited contributions and cash-on-hand discrepancies discussed in the Referral:

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five Illinois registered local candidate committees (Citizens to Elect Felix Cardona Jr., Friends of Chris Taliaferro, Friends of Nicholas Sposato, Friends of Susan Sadlowski Garza, and Friends of Matt Martin), and the Amended 12-Day Pre-Primary Report disclosed contributions from one Illinois registered party committee (34th Ward Democratic Organization) and one local candidate committee (Friends of Pat Casey). *Id.*, Attach. 1; *see* ILLINOIS STATE BOARD OF ELECTIONS, <https://www.elections.il.gov/CampaignDisclosure/CommitteeSearch.aspx> (last visited May 14, 2024).

<sup>14</sup> Amended Referral at 1-2. Pat Dowell for Congress, RFAI at 1-6 (June. 7, 2022), <https://docquery.fec.gov/cgi-bin/fecimg/>; Pat Dowell for Congress, RFAI at 1-5 (Oct. 6, 2022), [https://docquery.fec.gov/cgi-bin/fecimg/?\\_202210060300155061+0](https://docquery.fec.gov/cgi-bin/fecimg/?_202210060300155061+0); Pat Dowell for Congress, RFAI at 1-5 (Nov. 24, 2022), [https://docquery.fec.gov/cgi-bin/fecimg/?\\_202211240300161754+0](https://docquery.fec.gov/cgi-bin/fecimg/?_202211240300161754+0).

<sup>15</sup> *Id.* at 5.

<sup>16</sup> *Id.* at 5-6.

<sup>17</sup> *Id.* at 4. Pat Dowell for Congress, RFAI at 1 (Oct. 6, 2022), [https://docquery.fec.gov/cgi-bin/fecimg/?\\_202210060300155061+0](https://docquery.fec.gov/cgi-bin/fecimg/?_202210060300155061+0); Pat Dowell for Congress, RFAI at 1 (Aug. 2, 2023), <https://docquery.fec.gov/pdf/072/202308020300189072/202308020300189072.pdf>.

<b>2022 Disclosure Reports</b>	<b>Excessive Contributions Above the \$2,900 Limit</b>	<b>Primary Contributions Received after the Primary Without Net Debts Outstanding</b>	<b>Contributions from Corporations</b>	<b>Contributions from LLCs Without Attribution Information</b>	<b>Contributions from Unregistered Organizations Without Notations</b>	<b>Contributions Designated for the General Election</b>	<b>Cash-On-Hand Discrepancies</b>
Amended 2022 April Quarterly Report	\$10,750		\$1,250	\$2,900	\$5,000	\$28,300	
Amended 2022 12-Day Pre-Primary Report	\$15,750		\$1,000	\$500	\$1,250	\$3,000	
2022 July Quarterly Report	\$6,250	\$2,700				\$2,100	\$48,925.79
2022 October Quarterly Report		\$8,550 <sup>18</sup>					
2023 April Quarterly Report							\$80,519.34
<b>Total:</b>	<b>\$32,750</b>	<b>\$11,250</b>	<b>\$2,250</b>	<b>\$3,400</b>	<b>\$6,250</b>	<b>\$33,400</b>	<b>\$129,445.13</b>

1           The Committee has not remedied any of the excessive and prohibited contributions or its  
2 cash-on-hand discrepancies and contends in its Response that it has no remaining funds, staff, or  
3 compliance resources, is unable to refund any excessive or prohibited contributions, but is  
4 willing to work with the Commission to resolve this matter through pre-probable cause  
5 conciliation.<sup>19</sup>

<sup>18</sup> Of this amount, contributions totaling \$4,750 were also excessive. Amended Referral at 2 n.2.

<sup>19</sup> Resp. at 3.

The Committee blames the reporting violations on Hope Pickett, whom Dowell hired as campaign manager and compliance specialist, contending that Pickett failed to institute proper controls and reporting procedures, and that she was in charge of communications with the Commission but did not inform Dowell of any Commission correspondence, including the RFAIs.<sup>20</sup> Dowell states in her declaration that Pickett was responsible for the Committee's reporting, but the Committee's treasurer of record was Mattie Lacy, not Pickett.<sup>21</sup>

### III. LEGAL ANALYSIS

During the 2022 election cycle, an authorized committee could not accept more than \$2,900 per election from individuals.<sup>22</sup> Contributions which either exceed the contribution limit on their face or in the aggregate may be deposited or returned to the contributor.<sup>23</sup> If the excessive contribution is deposited, the treasurer may request redesignation or reattribution of the contribution.<sup>24</sup> If a redesignation or reattribution is not obtained, the treasurer must refund the contribution to the contributor within 60 days of receipt.<sup>25</sup>

Once an election is over, an authorized committee cannot accept contributions for that election that exceed its net debts outstanding or from a contributor who has exceeded the Act's contribution limits for that election.<sup>26</sup> Net debts outstanding are calculated as of the date of the

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<sup>20</sup> *Id.* at 2-3; Dowell Decl. ¶¶ 6-15.

<sup>21</sup> Dowell Decl. ¶¶ 6, 8-12.

<sup>22</sup> 52 U.S.C. § 30116(a)(1)(A), (f); 11 C.F.R. §§ 110.9, 110.1(a)-(b); *Price Index Adjustments for Contribution and Expenditure Limitations and Lobbyist Bundling Disclosure Threshold*, 86 Fed. Reg. 7867, 7869 (Feb. 2, 2021).

<sup>23</sup> 11 C.F.R. § 103.3(b)(3).

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> 11 C.F.R. § 110.1(b)(3)(i); *see also* Contribution and Expenditure Limitations and Prohibitions; Contributions by Persons and Multicandidate Political Committees, 52 Fed. Reg. 760, 761 (Jan. 9, 1987) ("Limitations E&J") ("The Commission believes that funds given to a candidate after an election is over cannot meet the Act's requirements that contributions be made with respect to and for the purpose of influencing that election unless they could be used to retire outstanding debts from that election.").

election and defined as “the total amount of unpaid debts and obligations incurred with respect to the election” minus a number of things, including contributions from that election.<sup>27</sup> The amount of net debts outstanding shall be adjusted as additional funds are received and expenditures are made.<sup>28</sup>

The Act prohibits corporations from making contributions to federal candidates, and likewise bars candidates and authorized political committees from knowingly accepting or receiving corporate contributions.<sup>29</sup> An LLC that elects to be treated as a corporation by the Internal Revenue Service shall be considered a corporation.<sup>30</sup> If an LLC elects to be treated as a partnership by the Internal Revenue Service, or does not elect treatment as either a partnership or a corporation, a contribution from the LLC shall be considered a contribution from a partnership.<sup>31</sup> Contributions from an LLC with a single natural person member that does not elect to be treated as a corporation by the Internal Revenue Service shall be attributed only to that single member.<sup>32</sup>

Contributions that present genuine questions as to whether they were made by a corporation may be, within ten days of receipt, either deposited into a campaign depository or returned to the contributor.<sup>33</sup> If any such contribution is deposited, the treasurer must use best

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<sup>27</sup> 11 C.F.R. § 110.1(b)(3)(ii); *see* Limitations E&J, 52 Fed. Reg. at 762 (stating that treasurer should first calculate total amount of debts and obligations and then subtract cash on hand and receivables from total debts).

<sup>28</sup> 11 C.F.R. § 110.1(b)(3)(iii); *see* Advisory Opinion 1990-17 at 2 (Burns).

<sup>29</sup> 52 U.S.C. § 30118(a); *accord* 11 C.F.R. § 114.2(b), (d).

<sup>30</sup> 11 C.F.R. § 110.1(g).

<sup>31</sup> *Id.* § 110.1(g)(2); *see also* Factual & Legal Analysis (“F&LA”) at 15-16, MUR 8092 (Provenance) (finding reason to believe that an LLC that elected to be treated as a partnership for purposes of contribution limits made excessive contributions).

<sup>32</sup> 11 C.F.R. § 110.1(g)(4).

<sup>33</sup> *Id.* § 103.3(b)(1).

efforts to determine the legality of the contribution.<sup>34</sup> And if within 30 days of receipt of the contribution the treasurer cannot determine whether the contribution is legal, the treasurer must refund the contribution.<sup>35</sup>

As for contributions from unregistered organizations, such organizations are broadly categorized as “[o]rganizations that are not political committees under the Act,”<sup>36</sup> and as such “must demonstrate through a reasonable accounting method that, whenever such an organization makes a contribution . . . the organization has received sufficient funds subject to the limitations and prohibitions of the Act to make such contribution.”<sup>37</sup> The treasurer of a political committee is responsible for ensuring that contributions received from unregistered organizations were made with permissible funds.<sup>38</sup>

The Commission’s regulations permit a candidate’s committee to receive contributions for the general election prior to the primary election.<sup>39</sup> However, the committee must use an acceptable accounting method to distinguish between primary and general election contributions.<sup>40</sup> The committee’s records must demonstrate that prior to the primary election,

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<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> *Id.* § 102.5(b) (providing that any organization that makes contributions, expenditures, and exempted payments but that does not qualify as a political committee “must keep records of receipts and disbursements and, upon request, must make such records available for examination by the Commission”).

<sup>37</sup> *Id.*

<sup>38</sup> *See id.* § 103.3(b) (“The treasurer shall be responsible for examining all contributions received for evidence of illegality and for ascertaining whether contributions received, when aggregated with other contributions from the same contributor, exceed the contribution limitations of 11 C.F.R. §§ 110.1 or 110.2.”); *see* Advisory Opinion (“AO”) 1982-38 (Moynihan) (recipients of “contributions from unregistered organizations which are not political committees under the Act must assume responsibility for determining that the contributions originally came from permissible sources”); AO 1988-33 (Republican Party of Florida) (“[T]he Act and Commission regulations impose certain affirmative duties on the various participants in the Federal election process,” such as recipient committees, “to prevent the infusion, directly or indirectly, of prohibited funds into the Federal election process.”).

<sup>39</sup> 11 C.F.R. § 102.9(e)(1).

<sup>40</sup> *Id.*

the committee's recorded cash-on-hand was at all times equal to or in excess of the sum of general election contributions received less the sum of general election disbursements made.<sup>41</sup>

Furthermore, if the candidate ultimately does not become a candidate for the general election, the committee must refund, redesignate, or reattribute any general election contributions in accordance with applicable Commission regulations.<sup>42</sup> The committee must do so within 60 days of the date that the committee has actual notice of the need to redesignate, reattribute, or refund the contributions.<sup>43</sup> A committee cannot redesignate general election funds to the primary election if doing so would cause the contributor to exceed the maximum allowable contribution for that election.<sup>44</sup> Likewise, reattribution of a general election contribution may only occur to the extent that such attribution does not exceed the contributor's contribution limits.<sup>45</sup>

The record establishes that the Committee accepted \$55,900 in excessive and prohibited contributions designated for the 2022 primary election, which have not been remedied, including: contributions from individuals who were above the \$2,900 limit, primary election contributions from individuals received after the primary in the absence of any debts outstanding from the primary election, contributions from corporations, contributions from LLCs without attribution information (thus indicating that they were corporate LLCs since attribution

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<sup>41</sup> *Id.* § 102.9(e)(2).

<sup>42</sup> *Id.* § 102.9(e)(3).

<sup>43</sup> See Advisory Opinion 1992-15 at 2 (Russo) (concluding that the 60-day period to redesignate a contribution under 11 C.F.R. 110.1(b)(5)(ii)(A) should be interpreted as starting at notice of a primary loss rather than when the contribution is received since "[i]t is not until the results of the primary election are announced that the treasurer has actual notice of the need to obtain redesignations to the extent permissible for the primary, obtain redesignations, for the next election, or refund the contribution"); see also AO 2008-04 at 3-4 (Dodd); F&LA at 6, MUR 7007 (Kyle McCarter for Congress Committee, *et al.*).

<sup>44</sup> 11 C.F.R. §§ 110.1(b)(5)(iii), 110.2(b)(5)(iii). Furthermore, amounts redesignated may not exceed the net debts outstanding from the primary. *Id.* §§ 110.1(b)(5)(iii), 110.2(b)(5)(iii).

<sup>45</sup> *Id.* § 110.1(k)(3)(ii)(B)(I).

1 information would have been provided if they were from partnership LLCs); and \$6,250 in  
2 contributions from unregistered organizations without apparently ascertaining whether the  
3 underlying funds complied with the limitations and prohibitions of the Act. The Committee did  
4 not provide any notations on its disclosure reports stating that they ascertained such information,  
5 nor has the Committee made any such assertion in response to the Referral. The unregistered  
6 organizations are registered in the State of Illinois and are permitted to accept contributions  
7 under state law that would be impermissible under the Act.<sup>46</sup> The Committee has provided no  
8 information on these contributions. The Committee does not dispute that it received excessive  
9 contributions, corporate contributions, or that it failed to ascertain that the contributions from  
10 unregistered organizations were made with permissible funds. Moreover, the Committee has not  
11 remedied any of these contributions to date.

12 The Committee also failed to remedy contributions totaling \$33,400 that were designated  
13 for the 2022 general election after Dowell lost the primary election. The Committee was on  
14 notice as of the date that Dowell lost the primary, June 28, 2022, that it had to return the  
15 contributions within 60 days from that date, by August 27, 2022, but the Committee has not  
16 remedied any of these contributions.

17 The Act and Commission regulations require political committees to disclose the amount  
18 of cash on hand at the beginning of each reporting period.<sup>47</sup> The record establishes a \$48,925.79  
19 cash-on-hand discrepancy between the ending cash-on-hand balance on the Amended 2022

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<sup>46</sup> See 10 ILCS 5/9-8.5 (West 2022). The eight unregistered organizations that made contributions to the Committee consist of Illinois registered state and local candidate and party committees. A review of contributions made to the unregistered organizations during the same period that they made contributions to the Committee revealed that nearly all of them disclosed contributions from corporations and/or unions. See Campaign Disclosure, Committee Search, Illinois State Board of Elections (last visited May 14, 2024), <https://www.elections.il.gov/CampaignDisclosure/CommitteeSearch.aspx>.

<sup>47</sup> 52 U.S.C. § 30104(b)(1); 11 C.F.R. §§ 104.3(a)(1), 104.12.

1 12-Day Pre-Primary and beginning cash-on-hand balance on the 2022 July Quarterly Report and  
 2 a \$80,519.34 discrepancy between the ending cash-on-hand balance on the 2022 Year-End  
 3 Report and beginning cash-on-hand balance on the 2023 April Quarterly Report, for a total  
 4 amount in violation of \$129,445.13.

5 While the Committee and Dowell blame Hope Pickett, the campaign manager and  
 6 compliance specialist, the Committee's identification of who was responsible for failing to  
 7 properly remedy excessive and prohibited contributions and file accurate disclosure reports does  
 8 not vitiate the violations which nonetheless occurred, and, ultimately, it was the treasurer, not the  
 9 campaign manager, who was tasked with these responsibilities.<sup>48</sup>

10 Therefore, we recommend that the Commission find reason to believe that the Committee  
 11 violated: (1) 52 U.S.C. § 30116(f) and 11 C.F.R. § 110.9 by knowingly accepting excessive  
 12 contributions for the 2022 primary election; (2) 52 U.S.C. § 30118(a) and 11 C.F.R. § 114.2(d)  
 13 by knowingly accepting corporate contributions;<sup>49</sup> (3) 52 U.S.C. § 30116(f) and 11 C.F.R.  
 14 § 102.9(e) by failing to remedy designated general election contributions after the candidate lost  
 15 the primary election;<sup>50</sup> (4) 11 C.F.R. § 103.3(b) by accepting contributions from unregistered  
 16 organizations without ascertaining whether the underlying funds complied with the limitations

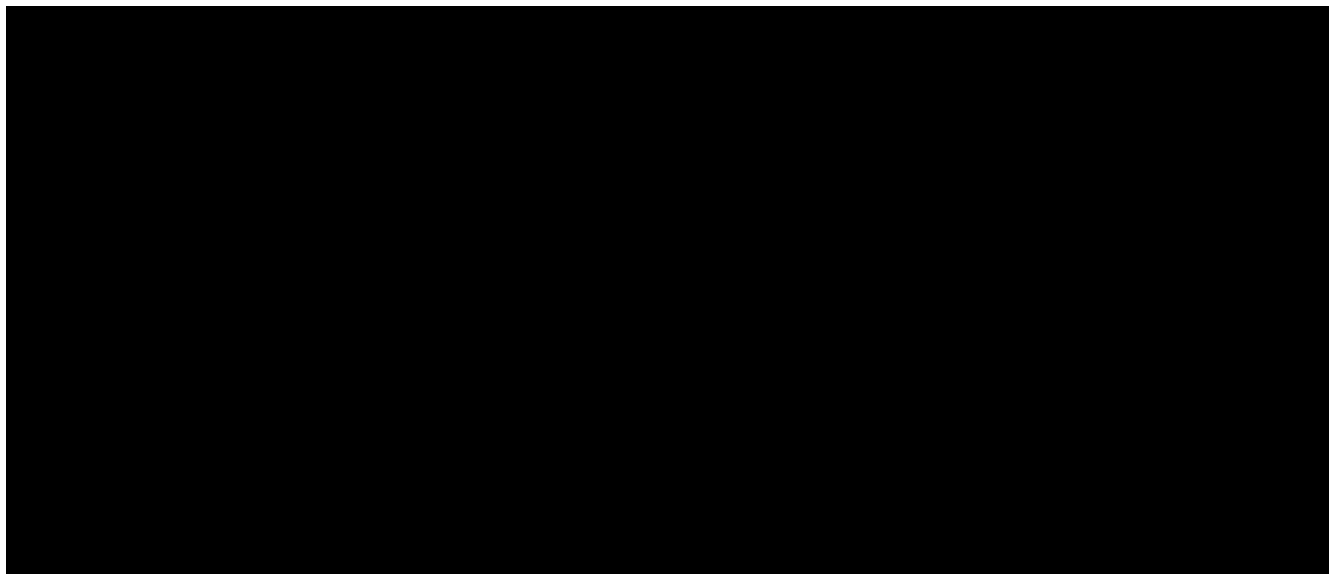
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<sup>48</sup> See 52 U.S.C. § 30104(a)(1) (providing that each treasurer of a political committee shall file reports of receipts and disbursements in accordance with the provisions of subsection 30104(a) and shall sign each such report). Mattie Lacy was, and remains, the Committee's treasurer of record. Pat Dowell for Congress, Amended Statement of Organization (Jan. 21, 2022).

<sup>49</sup> See, e.g., F&LA at 2-3, 7 & Certification ("Cert.") ¶ 2 (July 26, 2022) MUR 8043 (Women Vote Smart) (finding reason to believe that respondent violated 52 U.S.C. § 30118(a) by knowingly accepting prohibited contributions from corporations, corporate LLCs, and unregistered organizations).

<sup>50</sup> See, e.g., F&LA at 4, MUR 8143 (Dr. Manny US Senate) (finding reason to believe that the committee violated the Act by failing to refund or redesignate 2020 general contributions totaling \$58,765 within the permissible timeframe after the candidate's loss in the primary election); F&LA at 5, MUR 6956 (Espaillat for Congress) (finding reason to believe that a committee violated the Act because it accepted and failed to remedy \$15,790 in excessive primary contributions and also failed to remedy \$22,550 in designated general election contributions after the candidate lost the primary election).

1 and prohibitions of the Act;<sup>51</sup> and (5) 52 U.S.C. § 30104(b)(1) and 11 C.F.R. § 104.3(a)(1) by  
2 failing to accurately report its cash-on-hand.



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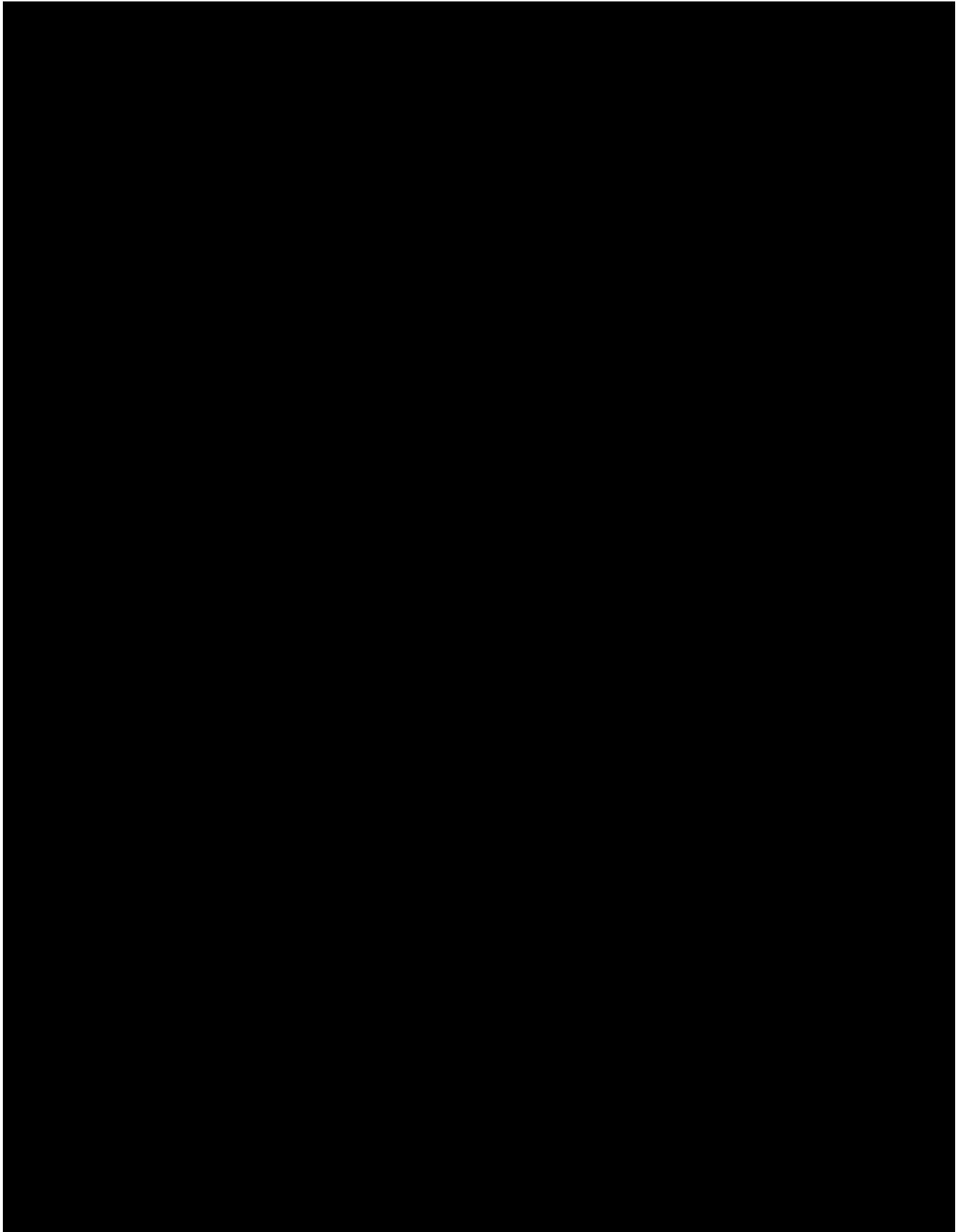
<sup>51</sup> See F&LA at 8-9, MUR 8262 (Orange County Republican Executive Committee) (finding reason to believe that a committee violated 11 C.F.R. § 103.3(b) by accepting a \$20,000 contribution from unregistered organizations without ascertaining whether the underlying funds complied with the limitations and prohibitions of the Act) (open matter); F&LA at 4-5, MUR 7872 (South Dakota Democratic Party) (finding reason to believe that a committee violated 11 C.F.R. § 103.3(b) by accepting 31 contributions totaling \$23,827 from unregistered organizations without ascertaining whether the underlying funds complied with the limitations and prohibitions of the Act).



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**V. RECOMMENDATIONS**

1. Open a Matter Under Review;
2. Find reason to believe that Pat Dowell for Congress and Mattie Lacy in her official capacity as treasurer violated 52 U.S.C. § 30116(f) and 11 C.F.R. § 110.9 by knowingly accepting excessive contributions;
3. Find reason to believe that Pat Dowell for Congress and Mattie Lacy in her official capacity as treasurer violated 52 U.S.C. § 30118(a) and 11 C.F.R. § 114.2(d) by knowingly accepting corporate contributions;
4. Find reason to believe that Pat Dowell for Congress and Mattie Lacy in her official capacity as treasurer violated 11 C.F.R. § 103.3(b) by accepting contributions from unregistered organizations without ascertaining whether the underlying funds complied with the limitations and prohibitions of the Act;
5. Find reason to believe that Pat Dowell for Congress and Mattie Lacy in her official capacity as treasurer violated 52 U.S.C. § 30116(f) and 11 C.F.R. § 102.9(e) by failing to remedy designated general election contributions;
6. Find reason to believe that Pat Dowell for Congress and Mattie Lacy in her official capacity as treasurer violated 52 U.S.C. § 30104(b)(1) and 11 C.F.R. § 104.3(a)(1) by failing to accurately report cash-on-hand;
7. Approve the attached Factual and Legal Analysis;
8. Authorize pre-probable cause conciliation with Pat Dowell for Congress and Mattie Lacy in her official capacity as treasurer;
9. Approve the attached proposed conciliation agreement; and

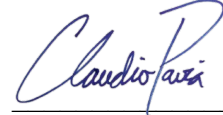
8. Approve the appropriate letter.

Lisa J. Stevenson  
Acting General Counsel

Charles Kitcher  
Associate General Counsel for Enforcement

May 29, 2024

Date



Claudio J. Pavia  
Deputy Associate General Counsel  
for Enforcement



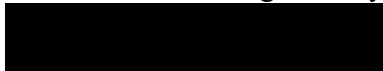
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Attachments:

1. Factual and Legal Analysis



**FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Pat Dowell for Congress and Mattie Lacy  
in her official capacity as treasurer

**MUR** \_\_\_\_\_

**I. INTRODUCTION**

The Reports Analysis Division (“RAD”) referred Pat Dowell for Congress and Mattie Lacy in her official capacity as treasurer (the “Committee”) to the Office of General Counsel (“OGC”) for failing to timely remedy excessive and prohibited 2022 primary election contributions totaling \$55,900 and failing to timely remedy contributions designated for the 2022 general election totaling \$33,400 after the candidate lost the 2022 primary election, in violation of the Federal Election Campaign Act of 1971, as amended (the “Act”).<sup>1</sup> To date, none of the excessive and prohibited contributions cited in the Referral have been remedied. RAD’s Referral also includes the Committee disclosing a cash-on-hand discrepancy totaling \$48,925.79 on its 2022 July Quarterly Report and an additional cash-on-hand discrepancy totaling \$80,519.34 on its 2023 April Quarterly Report.<sup>2</sup> To date, no corrective action has been taken regarding the cash-on-hand discrepancies.

The Committee filed a Response to the Referral, attaching a Declaration submitted by the candidate, Pat Dowell.<sup>3</sup> The Response acknowledges the reporting violations but asserts that they were the result of inexperience on the part of the Committee and lack of controls and oversight by the campaign manager/compliance specialist hired by Dowell.<sup>4</sup> In her Declaration,

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<sup>1</sup> Referral at 1, 3 (Oct. 25, 2023).

<sup>2</sup> *Id.*

<sup>3</sup> Resp. (Dec. 11, 2023); *id.*, Ex. 2 Pat Dowell Decl. (“Dowell Decl.”) (Dec. 10, 2023).

<sup>4</sup> Resp. at 2.

Dowell contends that the Committee has no remaining funds with which to make any refunds of excessive or prohibited contributions, and has no staff or compliance resources.<sup>5</sup> Finally, the Response states that the Committee would like to work with the Commission to resolve this matter and requests pre-probable cause conciliation.<sup>6</sup>

Accordingly, the Commission opens a Matter Under Review (“MUR”) and finds reason to believe that the Committee violated: (1) 52 U.S.C. § 30116(f) and 11 C.F.R. § 110.9 by knowingly accepting excessive contributions during the 2022 primary election; (2) 52 U.S.C. § 30118(a) and 11 C.F.R. § 114.2(d) by knowingly accepting corporate contributions; (3) 11 C.F.R. § 103.3(b) by accepting contributions from unregistered organizations without ascertaining whether the underlying funds complied with the limitations and prohibitions of the Act; (4) 52 U.S.C. § 30116(f) and 11 C.F.R. § 102.9(e) by failing to timely remedy general election contributions; and (5) 52 U.S.C. § 30104(b)(1) and 11 C.F.R. § 104.3(a)(1) by failing to accurately report its cash-on-hand.

## II. FACTUAL BACKGROUND

The Committee is the principal campaign committee for Patricia Dowell, a candidate in the 2022 election for Illinois’ First Congressional District.<sup>7</sup> The Committee’s treasurer of record is Mattie Lacy.<sup>8</sup> On June 28, 2022, Dowell lost the Illinois primary election.<sup>9</sup>

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<sup>5</sup> Dowell Decl. ¶ 16.

<sup>6</sup> Resp. at 3.

<sup>7</sup> Patricia R. Dowell, Statement of Candidacy (Jan. 6, 2022).

<sup>8</sup> Pat Dowell for Congress, Amended Statement of Organization (Jan. 21, 2022).

<sup>9</sup> *2022 General Primary Election Results*, ILLINOIS STATE BOARD OF ELECTIONS, <https://elections.il.gov/ElectionOperations/ElectionVoteTotals.aspx?T=637980584556772869> (last visited May 1, 2024).

According to the Referral, the Committee received and failed to remedy: (1) \$44,000 in excessive 2022 primary election contributions from individuals that exceeded the \$2,900 contribution limit and primary election contributions received after the primary election date in the absence of net debts outstanding for the primary election, reported on the Amended 2022 April Quarterly and 12-Day Pre-Primary Reports, and the 2022 July Quarterly and October Quarterly Reports;<sup>10</sup> (2) \$5,650 in prohibited corporate contributions and contributions from LLCs without attribution information (indicating these were corporate LLCs), reported on the Amended 2022 April Quarterly and 12-Day Pre-Primary Reports;<sup>11</sup> (3) \$6,250 from unregistered organizations apparently without ascertaining whether the underlying funds complied with the limitations and prohibitions of the Act (because the Committee did not provide notations indicating that the funds were verified permissible), reported on the Amended 2022 April Quarterly and 12-Day Pre-Primary Reports;<sup>12</sup> and (4) \$33,400 in contributions designated for the 2022 general election that were not remedied after the candidate lost the primary election, reported on the Amended 2022 April Quarterly and 12-Day Pre-Primary Reports. RAD sent the Committee Requests for Additional Information (“RFAIs”) addressing these contributions on

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<sup>10</sup> Specifically, the Committee received \$32,750 in contributions that exceeded the \$2,900 limit prior to the primary election and \$11,250, including \$4,750 that were excessive, in contributions designated for the primary election but received after the primary election. Referral, Attach. 1 The Committee did not appear to disclose any net debts outstanding for the primary election. Referral at 1-2 nn.1-2.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* at 2. The Amended 2022 April Quarterly Report disclosed contributions from six unregistered organizations consisting of one Illinois registered state candidate committee (Friends to Elect Lamont Robinson) and five Illinois registered local candidate committees (Citizens to Elect Felix Cardona Jr., Friends of Chris Taliaferro, Friends of Nicholas Sposato, Friends of Susan Sadlowski Garza, and Friends of Matt Martin), and the Amended 12-Day Pre-Primary Report disclosed contributions from one Illinois registered party committee (34th Ward Democratic Organization) and one local candidate committee (Friends of Pat Casey). *Id.*, Attach. 1; see ILLINOIS STATE BOARD OF ELECTIONS, <https://www.elections.il.gov/CampaignDisclosure/CommitteeSearch.aspx> (last visited May 14, 2024).

June 7, October 6, and November 24, 2022; the Committee did not respond to the RFAs or take any corrective action.<sup>13</sup>

Finally, the Committee's Amended 2022 12-Day Pre-Primary Report disclosed an ending cash-on-hand balance of \$248,184.50 but its 2022 July Quarterly Report disclosed a beginning cash-on-hand balance of \$297,110.29, a \$48,925.79 discrepancy.<sup>14</sup> In addition, the Committee's 2022 Year-End Report disclosed an ending cash-on-hand of \$80,519.34 but its 2023 April Quarterly Report disclosed a beginning cash-on-hand balance of \$0.00, an \$80,519.34 discrepancy.<sup>15</sup> RAD sent the Committee RFAs on October 6, 2022, and August 2, 2023, regarding these discrepancies but the Committee did not respond or take any corrective action.<sup>16</sup>

Below is a chart summarizing the excessive and prohibited contributions and cash-on-hand discrepancies discussed in the Referral:

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<sup>13</sup> Referral at 1-2. Pat Dowell for Congress, RFAI at 1-6 (June. 7, 2022), <https://docquery.fec.gov/cgi-bin/fecimg/>; Pat Dowell for Congress, RFAI at 1-5 (Oct. 6, 2022), [https://docquery.fec.gov/cgi-bin/fecimg/?\\_202210060300155061+0](https://docquery.fec.gov/cgi-bin/fecimg/?_202210060300155061+0); Pat Dowell for Congress, RFAI at 1-5 (Nov. 24, 2022), [https://docquery.fec.gov/cgi-bin/fecimg/?\\_202211240300161754+0](https://docquery.fec.gov/cgi-bin/fecimg/?_202211240300161754+0).

<sup>14</sup> *Id.* at 5.

<sup>15</sup> *Id.* at 5-6.

<sup>16</sup> *Id.* at 4. Pat Dowell for Congress, RFAI at 1 (Oct. 6, 2022), [https://docquery.fec.gov/cgi-bin/fecimg/?\\_202210060300155061+0](https://docquery.fec.gov/cgi-bin/fecimg/?_202210060300155061+0); Pat Dowell for Congress, RFAI at 1 (Aug. 2, 2023), <https://docquery.fec.gov/pdf/072/202308020300189072/202308020300189072.pdf>.

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<b>2022 Disclosure Reports</b>	Excessive Contributions Above the \$2,900 Limit	Primary Contributions Received after the Primary Without Net Debts Outstanding	Contributions from Corporations	Contributions from LLCs Without Attribution Information	Contributions from Unregistered Organizations Without Notations	Contributions Designated for the General Election	Cash-On-Hand Discrepancies
Amended 2022 April Quarterly Report	\$10,750		\$1,250	\$2,900	\$5,000	\$28,300	
Amended 2022 12-Day Pre-Primary Report	\$15,750		\$1,000	\$500	\$1,250	\$3,000	
2022 July Quarterly Report	\$6,250	\$2,700				\$2,100	\$48,925.79
2022 October Quarterly Report		\$8,550 <sup>17</sup>					
2023 April Quarterly Report							\$80,519.34
<b>Total:</b>	<b>\$32,750</b>	<b>\$11,250</b>	<b>\$2,250</b>	<b>\$3,400</b>	<b>\$6,250</b>	<b>\$33,400</b>	<b>\$129,445.13</b>

2           The Committee has not remedied any of the excessive and prohibited contributions or its  
 3 cash-on-hand discrepancies and contends in its Response that it has no remaining funds, staff, or  
 4 compliance resources, is unable to refund any excessive or prohibited contributions, but is  
 5 willing to work with the Commission to resolve this matter through pre-probable cause  
 6 conciliation.<sup>18</sup>

<sup>17</sup> Of this amount, contributions totaling \$4,750 were also excessive. Referral at 2 n.2.

<sup>18</sup> Resp. at 3.

The Committee blames the reporting violations on Hope Pickett, whom Dowell hired as campaign manager and compliance specialist, contending that Pickett failed to institute proper controls and reporting procedures, and that she was in charge of communications with the Commission but did not inform Dowell of any Commission correspondence, including the RFAs.<sup>19</sup> Dowell states in her declaration that Pickett was responsible for the Committee's reporting, but the Committee's treasurer of record was Mattie Lacy, not Pickett.<sup>20</sup>

### III. LEGAL ANALYSIS

During the 2022 election cycle, an authorized committee could not accept more than \$2,900 per election from individuals.<sup>21</sup> Contributions which either exceed the contribution limit on their face or in the aggregate may be deposited or returned to the contributor.<sup>22</sup> If the excessive contribution is deposited, the treasurer may request redesignation or reattribution of the contribution.<sup>23</sup> If a redesignation or reattribution is not obtained, the treasurer must refund the contribution to the contributor within 60 days of receipt.<sup>24</sup>

Once an election is over, an authorized committee cannot accept contributions for that election that exceed its net debts outstanding or from a contributor who has exceeded the Act's contribution limits for that election.<sup>25</sup> Net debts outstanding are calculated as of the date of the

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<sup>19</sup> *Id.* at 2-3; Dowell Decl. ¶¶ 6-15.

<sup>20</sup> Dowell Decl. ¶¶ 6, 8-12.

<sup>21</sup> 52 U.S.C. § 30116(a)(1)(A), (f); 11 C.F.R. §§ 110.9, 110.1(a)-(b); *Price Index Adjustments for Contribution and Expenditure Limitations and Lobbyist Bundling Disclosure Threshold*, 86 Fed. Reg. 7867, 7869 (Feb. 2, 2021).

<sup>22</sup> 11 C.F.R. § 103.3(b)(3).

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> 11 C.F.R. § 110.1(b)(3)(i); *see also* Contribution and Expenditure Limitations and Prohibitions; Contributions by Persons and Multicandidate Political Committees, 52 Fed. Reg. 760, 761 (Jan. 9, 1987) ("Limitations E&J") ("The Commission believes that funds given to a candidate after an election is over cannot

election and defined as “the total amount of unpaid debts and obligations incurred with respect to the election” minus a number of things, including contributions from that election.<sup>26</sup> The amount of net debts outstanding shall be adjusted as additional funds are received and expenditures are made.<sup>27</sup>

The Act prohibits corporations from making contributions to federal candidates, and likewise bars candidates and authorized political committees from knowingly accepting or receiving corporate contributions.<sup>28</sup> An LLC that elects to be treated as a corporation by the Internal Revenue Service shall be considered a corporation.<sup>29</sup> If an LLC elects to be treated as a partnership by the Internal Revenue Service, or does not elect treatment as either a partnership or a corporation, a contribution from the LLC shall be considered a contribution from a partnership.<sup>30</sup> Contributions from an LLC with a single natural person member that does not elect to be treated as a corporation by the Internal Revenue Service shall be attributed only to that single member.<sup>31</sup>

Contributions that present genuine questions as to whether they were made by a corporation may be, within ten days of receipt, either deposited into a campaign depository or

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meet the Act’s requirements that contributions be made with respect to and for the purpose of influencing that election unless they could be used to retire outstanding debts from that election.”).

<sup>26</sup> 11 C.F.R. § 110.1(b)(3)(ii); *see* Limitations E&J, 52 Fed. Reg. at 762 (stating that treasurer should first calculate total amount of debts and obligations and then subtract cash on hand and receivables from total debts).

<sup>27</sup> 11 C.F.R. § 110.1(b)(3)(iii); *see* Advisory Opinion 1990-17 at 2 (Burns).

<sup>28</sup> 52 U.S.C. § 30118(a); *accord* 11 C.F.R. § 114.2(d).

<sup>29</sup> 11 C.F.R. § 110.1(g).

<sup>30</sup> *Id.* § 110.1(g)(2); *see also* Factual & Legal Analysis (“F&LA”) at 15-16, MUR 8092 (Provenance) (finding reason to believe that an LLC that elected to be treated as a partnership for purposes of contribution limits made excessive contributions).

<sup>31</sup> 11 C.F.R. § 110.1(g)(4).

1 returned to the contributor.<sup>32</sup> If any such contribution is deposited, the treasurer must use best  
 2 efforts to determine the legality of the contribution.<sup>33</sup> And if within 30 days of receipt of the  
 3 contribution the treasurer cannot determine whether the contribution is legal, the treasurer must  
 4 refund the contribution.<sup>34</sup>

5 As for contributions from unregistered organizations, such organizations are broadly  
 6 categorized as “[o]rganizations that are not political committees under the Act,”<sup>35</sup> and as such  
 7 “must demonstrate through a reasonable accounting method that, whenever such an organization  
 8 makes a contribution . . . the organization has received sufficient funds subject to the limitations  
 9 and prohibitions of the Act to make such contribution.”<sup>36</sup> The treasurer of a political committee  
 10 is responsible for ensuring that contributions received from unregistered organizations were  
 11 made with permissible funds.<sup>37</sup>

12 The Commission’s regulations permit a candidate’s committee to receive contributions  
 13 for the general election prior to the primary election.<sup>38</sup> However, the committee must use an  
 14 acceptable accounting method to distinguish between primary and general election

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<sup>32</sup> *Id.* § 103.3(b)(1).

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> *Id.* § 102.5(b) (providing that any organization that makes contributions, expenditures, and exempted payments but that does not qualify as a political committee “must keep records of receipts and disbursements and, upon request, must make such records available for examination by the Commission”).

<sup>36</sup> *Id.*

<sup>37</sup> *See id.* § 103.3(b) (“The treasurer shall be responsible for examining all contributions received for evidence of illegality and for ascertaining whether contributions received, when aggregated with other contributions from the same contributor, exceed the contribution limitations of 11 C.F.R. §§ 110.1 or 110.2.”); *see* Advisory Opinion (“AO”) 1982-38 (Moynihan) (recipients of “contributions from unregistered organizations which are not political committees under the Act must assume responsibility for determining that the contributions originally came from permissible sources”); AO 1988-33 (Republican Party of Florida) (“[T]he Act and Commission regulations impose certain affirmative duties on the various participants in the Federal election process,” such as recipient committees, “to prevent the infusion, directly or indirectly, of prohibited funds into the Federal election process.”).

<sup>38</sup> 11 C.F.R. § 102.9(e)(1).

contributions.<sup>39</sup> The committee's records must demonstrate that prior to the primary election, the committee's recorded cash-on-hand was at all times equal to or in excess of the sum of general election contributions received less the sum of general election disbursements made.<sup>40</sup>

Furthermore, if the candidate ultimately does not become a candidate for the general election, the committee must refund, redesignate, or reattribute any general election contributions in accordance with applicable Commission regulations.<sup>41</sup> The committee must do so within 60 days of the date that the committee has actual notice of the need to redesignate, reattribute, or refund the contributions.<sup>42</sup> A committee cannot redesignate general election funds to the primary election if doing so would cause the contributor to exceed the maximum allowable contribution for that election.<sup>43</sup> Likewise, reattribution of a general election contribution may only occur to the extent that such attribution does not exceed the contributor's contribution limits.<sup>44</sup>

The record establishes that the Committee accepted \$55,900 in excessive and prohibited contributions designated for the 2022 primary election, which have not been remedied, including: contributions from individuals who were above the \$2,900 limit, primary election contributions from individuals received after the primary in the absence of any debts outstanding from the primary election, contributions from corporations, contributions from LLCs without

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<sup>39</sup> *Id.*

<sup>40</sup> *Id.* § 102.9(e)(2).

<sup>41</sup> *Id.* § 102.9(e)(3).

<sup>42</sup> See Advisory Opinion 1992-15 at 2 (Russo) (concluding that the 60-day period to redesignate a contribution under 11 C.F.R. 110.1(b)(5)(ii)(A) should be interpreted as starting at notice of a primary loss rather than when the contribution is received since "[i]t is not until the results of the primary election are announced that the treasurer has actual notice of the need to obtain redesignations to the extent permissible for the primary, obtain redesignations, for the next election, or refund the contribution"); see also AO 2008-04 at 3-4 (Dodd); F&LA at 6, MUR 7007 (Kyle McCarter for Congress Committee, *et al.*).

<sup>43</sup> 11 C.F.R. §§ 110.1(b)(5)(iii), 110.2(b)(5)(iii). Furthermore, amounts redesignated may not exceed the net debts outstanding from the primary. *Id.* §§ 110.1(b)(5)(iii), 110.2(b)(5)(iii).

<sup>44</sup> *Id.* § 110.1(k)(3)(ii)(B)(I).

1 attribution information (thus indicating that they were corporate LLCs) since attribution  
2 information would have been provided if they were from partnership LLCs; and \$6,250 in  
3 contributions from unregistered organizations without apparently ascertaining whether the  
4 underlying funds complied with the limitations and prohibitions of the Act. The Committee did  
5 not provide any notations on its disclosure reports stating that they ascertained such information  
6 nor has the Committee made any such assertion in response to the Referral. The unregistered  
7 organizations are registered in the State of Illinois and are permitted to accept contributions  
8 under state law that would be impermissible under the Act.<sup>45</sup> The Committee has provided no  
9 information on these contributions. The Committee does not dispute that it received excessive  
10 contributions, corporate contributions, or that it failed to ascertain that the contributions from  
11 unregistered organizations were made with permissible funds. Moreover, the Committee has not  
12 remedied any of these contributions to date.

13 The Committee also failed to remedy contributions totaling \$33,400 that were designated  
14 for the 2022 general election after Dowell lost the primary election. The Committee was on  
15 notice as of the date that Dowell lost the primary, June 28, 2022, that it had to return the  
16 contributions within 60 days from that date, by August 27, 2022, but the Committee has not  
17 remedied any of these contributions.

18 The Act and Commission regulations require political committees to disclose the amount  
19 of cash on hand at the beginning of each reporting period.<sup>46</sup> The record establishes a \$48,925.79

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<sup>45</sup> See 10 ILCS 5/9-8.5 (West 2022). The eight unregistered organizations that made contributions to the Committee consist of Illinois registered state and local candidate and party committees. A review of contributions made to the unregistered organizations during the same period that they made contributions to the Committee revealed that nearly all of them disclosed contributions from corporations and/or unions. See Campaign Disclosure, Committee Search, Illinois State Board of Elections (last visited May 14, 2024), <https://www.elections.il.gov/CampaignDisclosure/CommitteeSearch.aspx>.

<sup>46</sup> 52 U.S.C. § 30104(b)(1); 11 C.F.R. §§ 104.3(a)(1), 104.12.

1 cash-on-hand discrepancy between the ending cash-on-hand balance on the Amended 2022 12-  
 2 Day Pre-Primary and beginning cash-on-hand balance on the 2022 July Quarterly Report and a  
 3 \$80,519.34 discrepancy between the ending cash-on-hand balance on the 2022 Year-End Report  
 4 and beginning cash-on-hand balance on the 2023 April Quarterly Report, for a total amount in  
 5 violation of \$129,445.19.

6 While the Committee and Dowell blame Hope Pickett, the campaign manager and  
 7 compliance specialist, the Committee's identification of who was responsible for failing to  
 8 properly remedy excessive and prohibited contributions and file accurate disclosure reports does  
 9 not vitiate the violations which nonetheless occurred, and, ultimately, it was the treasurer, not the  
 10 campaign manager, who is legally tasked with these responsibilities.<sup>47</sup>

11 Therefore, the Commission finds reason to believe that the Committee violated:  
 12 (1) 52 U.S.C. § 30116(f) and 11 C.F.R. § 110.9 by knowingly accepting excessive contributions  
 13 for the 2022 primary election; (2) 52 U.S.C. § 30118(a) and 11 C.F.R. § 114.2(d) by knowingly  
 14 accepting corporate contributions;<sup>48</sup> (3) 52 U.S.C. § 30116(f) and 11 C.F.R. § 102.9(e) by failing  
 15 to remedy designated general election contributions after the candidate lost the primary  
 16 election;<sup>49</sup> (4) 11 C.F.R. § 103.3(b) by accepting contributions from unregistered organizations

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<sup>47</sup> See 52 U.S.C. § 30104(a)(1) (providing that each treasurer of a political committee shall file reports of receipts and disbursements in accordance with the provisions of subsection 30104(a) and shall sign each such report). Mattie Lacy was, and remains, the Committee's treasurer of record. Pat Dowell for Congress, Amended Statement of Organization (Jan. 21, 2022).

<sup>48</sup> See, e.g., F&LA at 2-3, 7 & Certification ("Cert.") ¶ 2 (July 26, 2022) MUR 8043 (Women Vote Smart) (finding reason to believe that respondent violated 52 U.S.C. § 30118(a) by knowingly accepting prohibited contributions from corporations, corporate LLCs, and unregistered organizations).

<sup>49</sup> See, e.g., F&LA at 4, MUR 8143 (Dr. Manny US Senate) (finding reason to believe that the committee violated the Act by failing to refund or redesignate 2020 general contributions totaling \$58,765 within the permissible timeframe after the candidate's loss in the primary election); F&LA at 5, MUR 6956 (Espaillat for Congress) (finding reason to believe that a committee violated the Act because it accepted and failed to remedy \$15,790 in excessive primary contributions and also failed to remedy \$22,550 in designated general election contributions after the candidate lost the primary election).

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- 1 without ascertaining whether the underlying funds complied with the limitations and prohibitions
- 2 of the Act;<sup>50</sup> and (5) 52 U.S.C. § 30104(b)(1) and 11 C.F.R. § 104.3(a)(1) by failing to accurately
- 3 report its cash-on-hand.

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<sup>50</sup> See F&LA at 4-5, MUR 7872 (South Dakota Democratic Party) (finding reason to believe that a committee violated 11 C.F.R. § 103.3(b) by accepting 31 contributions totaling \$23,827 from unregistered organizations without ascertaining whether the underlying funds complied with the limitations and prohibitions of the Act).