

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 18, 2023

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser *KDR* / Jamie Sikorsky *JS*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2023 July Quarterly Report for the
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2023 July Quarterly Report in accordance with 52 U.S.C. § 30104(a). The July Quarterly was due on July 15, 2023.

The committees listed in the attached RTB Circulation Report either failed to file the report or filed the report no more than thirty (30) days after the due date (considered a late filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a

preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.

2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2023 JULY QUARTERLY Not Election Sensitive 07/15/2023 H_S_P

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4663	C00728097	CASTRO FOR AMERICA	JOHN ANTHONY CASTRO	ALFONSO GARZA	\$20,000,000	0		Not Filed	\$20,000,000 (est)	\$20,552
4664	C00638767	CORI BUSH FOR CONGRESS	CORI BUSH	AMY VILELA	\$592,138	0	7/22/2023	7	\$336,659	\$4,964
4665	C00783092	HARBIN FOR GEORGIA, INC	BLAKE HARBIN	BLAKE HARBIN	\$170,400	2		Not Filed	\$170,400 (est)	\$14,130
4666	C00767798	HOLLY MCCORMACK FOR CONGRESS	HOLLY MCCORMACK	HOLLY MCCORMACK	\$538,205	1		Not Filed	\$538,205 (est)	\$20,338
4667	C00780650	REED FOR MISSOURI	RAYMOND REED	CHRISTINA LYNCH	\$112,245	2		Not Filed	\$112,245 (est)	\$11,562

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Reason To Believe Recommendation - 2023)	
July Quarterly Report for the)	
Administrative Fine Program:)	
CASTRO FOR AMERICA, and GARZA,	)	AF# 4663
ALFONSO as treasurer;)	
CORI BUSH FOR CONGRESS, and	)	AF# 4664
VILELA, AMY as treasurer;)	
HARBIN FOR GEORGIA, INC, and	)	AF# 4665
HARBIN, BLAKE as treasurer;)	
HOLLY MCCORMACK FOR	)	AF# 4666
CONGRESS, and MCCORMACK,)	
HOLLY as treasurer;)	
REED FOR MISSOURI, and LYNCH,	)	AF# 4667
CHRISTINA as treasurer;)	

CERTIFICATION

I, Vicktoria J. Allen, Deputy Secretary of the Federal Election Commission, do hereby certify that on September 20, 2023 the Commission took the following actions on the Reason To Believe Recommendation - 2023 July Quarterly Report for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated September 18, 2023, on the following committees:

AF#4663 Decided by a vote of 6-0 to: (1) find reason to believe that CASTRO FOR AMERICA, and GARZA, ALFONSO in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

Federal Election Commission
 Certification for Administrative Fines
 September 20, 2023

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AF#4664 Decided by a vote of 6-0 to: (1) find reason to believe that CORI BUSH FOR CONGRESS, and VILELA, AMY in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

AF#4665 Decided by a vote of 6-0 to: (1) find reason to believe that HARBIN FOR GEORGIA, INC, and HARBIN, BLAKE in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

AF#4666 Decided by a vote of 6-0 to: (1) find reason to believe that HOLLY MCCORMACK FOR CONGRESS, and MCCORMACK, HOLLY in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

AF#4667 Decided by a vote of 6-0 to: (1) find reason to believe that REED FOR MISSOURI, and LYNCH, CHRISTINA in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

Attest:



Vicktoria J Allen Digitally signed by Vicktoria J Allen
 Date: 2023.09.20 17:48:49 -04'00'

Vicktoria J. Allen
 Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AF

September 22, 2023

Amy Vilela, in official capacity as Treasurer
Cori Bush for Congress
75 North Oaks Plaza
St Louis, MO 63121

C00638767
AF#: 4664
FINE: \$4,964

Dear Amy Vilela,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period April 1, 2023 through June 30, 2023, shall be filed no later than July 15, 2023. 52 U.S.C. § 30104(a). Records at the Federal Election Commission (the "Commission" or "FEC") indicate that this report was filed on July 22, 2023, (7) days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On September 20, 2023, the Commission found that there is reason to believe ("RTB") that Cori Bush for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before July 15, 2023. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$4,964. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.55. Attachment 1. The FEC's website contains further information about how the administrative fine program works and how the fines are calculated. See <https://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$4,964 is due within forty (40) days of the finding, or by October 30, 2023, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$336,659
Number of Days Late: 7
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

CORI BUSH FOR CONGRESS

Page 2 of 4

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you decide to challenge the RTB finding and/or calculated civil money penalty, you must email a written response to the FEC's Office of Administrative Review at administrativefines@fec.gov. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or October 30, 2023. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three factors: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). For a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience, or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

If you fail to timely raise a factual argument in your challenge to the RTB finding, your right to present such an argument in an appeal to the U.S. District Court under 52 U.S.C. § 30109 shall be deemed waived. 11 C.F.R. § 111.38.

It should also be noted that all challenges to an RTB finding and/or calculated civil money penalty should be converted to PDF (Portable Document Format) and emailed to administrativefines@fec.gov. The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted challenges will be deemed received on the date they are electronically received by staff.

CORI BUSH FOR CONGRESS

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In addition, if you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address, and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response challenging the RTB finding and/or calculated civil money penalty, the FEC will conclude that the factual allegations underlying the RTB finding and/or calculated civil money penalty are true and make a final determination that Cori Bush for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, et seq. The Commission may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you decide to pay the calculated civil money penalty, please follow the payment instructions below. Upon receipt of your payment, the FEC will send you a final determination letter.

You may remit payment by Automated Clearinghouse ("ACH") withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit <https://www.fec.gov/af/pay.shtml> to be directed to Pay.gov's Administrative Fine Program Payment form. Please use the details at the top of this letter to complete the required fields.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

Settlement Offers

CORI BUSH FOR CONGRESS

Page 4 of 4

Any offer to settle or compromise a debt owed to the Commission will be rejected. This includes making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. §§ 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 C.F.R. § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <https://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Jamie Sikorsky in the Reports Analysis Division at our toll-free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll-free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,



Dara Lindenbaum
Chair

RECEIVED

By Office of the Commission Secretary at 11:14 am, Feb 12, 2024



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

SENSITIVE

February 12, 2024

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: *KDR* Kristin D. Roser/Ben Holly *BH*
Reports Analysis Division
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the 2023 July Quarterly Report

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2023 July Quarterly Report. The first list represents a committee that has paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, two (2) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. An overview of these cases has been provided below.

Castro for America (AF 4663) filed the 2023 July Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than

that assessed at RTB. The committee disclosed total receipts and disbursements of \$1 (previously estimated to be \$20,000,000), thus the fine would be lowered from \$20,552 to \$1.

Harbin for Georgia, Inc (AF 4665) filed the 2023 July Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$0 (previously estimated to be \$170,400), thus the fine would be lowered from \$14,130 to \$0.

RAD Recommendation

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Make a final determination that the political committee and its treasurer, in their official capacity, listed on the attached report with no activity, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty.
- (3) Send the appropriate letters.

Federal Election Commission
FD Circulation Report Fine Paid
2023 JULY QUARTERLY Not Election Sensitive 07/15/2023 H_S_P

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
4664	CORI BUSH FOR CONGRESS	CORI BUSH	C00638767	AMY VILELA	07/22/2023	7	\$336,659	0	09/20/2023	\$4,964	\$4,964	10/25/2023	\$4,964

Federal Election Commission
 FD Circulation Report Fine Not Paid
 2023 JULY QUARTERLY Not Election Sensitive 07/15/2023 H_S_P

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
4663	CASTRO FOR AMERICA	JOHN ANTHONY CASTRO	C00728097	ALFONSO GARZA	10/12/2023	*Not Filed	\$1	0	09/20/2023	\$20,552	145	\$1
4665	HARBIN FOR GEORGIA, INC	BLAKE HARBIN	C00783092	BLAKE HARBIN	10/03/2023	*Not Filed	\$0	2	09/20/2023	\$14,130	145	NONE
4666	HOLLY MCCORMACK FOR CONGRESS	HOLLY MCCORMACK	C00767798	HOLLY MCCORMACK		Not Filed	\$538,205 (est)	1	09/20/2023	\$20,338	145	\$20,338
4667	REED FOR MISSOURI	RAYMOND REED	C00780650	CHRISTINA LYNCH		Not Filed	\$112,245 (est)	2	09/20/2023	\$11,562	145	\$11,562

* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Administrative Fine Program – Final)	
Determination Recommendation for the)	
2023 July Quarterly Report:)	
CASTRO FOR AMERICA, and GARZA,	)	AF# 4663
ALFONSO as treasurer;)	
CORI BUSH FOR CONGRESS, and	)	AF# 4664
VILELA, AMY as treasurer;)	
HARBIN FOR GEORGIA, INC, and	)	AF# 4665
HARBIN, BLAKE as treasurer;)	
HOLLY MCCORMACK FOR	)	AF# 4666
CONGRESS, and MCCORMACK,)	
HOLLY as treasurer;)	
REED FOR MISSOURI, and LYNCH,	)	AF# 4667
CHRISTINA as treasurer;)	

CERTIFICATION

I, Vicktoria J. Allen, Deputy Secretary of the Federal Election Commission, do hereby certify that on February 14, 2024 the Commission took the following actions on the Administrative Fine Program – Final Determination Recommendation for the 2023 July Quarterly Report, as recommended in the Reports Analysis Division's Memorandum dated February 12, 2024, on the following committees:

AF#4663 Decided by a vote of 6-0 to: (1) make a final determination that CASTRO FOR AMERICA, and GARZA, ALFONSO in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

AF#4664 Decided by a vote of 6-0 to: (1) make a final determination that CORI BUSH FOR CONGRESS, and VILELA, AMY in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2)

send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

AF#4665 Decided by a vote of 6-0 to: (1) make a final determination that HARBIN FOR GEORGIA, INC, and HARBIN, BLAKE in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

AF#4666 Decided by a vote of 6-0 to: (1) make a final determination that HOLLY MCCORMACK FOR CONGRESS, and MCCORMACK, HOLLY in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

AF#4667 Decided by a vote of 6-0 to: (1) make a final determination that REED FOR MISSOURI, and LYNCH, CHRISTINA in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.



February 15, 2024

Date

Attest:

Vicktoria J Allen

Digitally signed by Vicktoria J
Allen

Date: 2024.02.15 14:17:11 -05'00'

Vicktoria J. Allen

Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

AF

February 15, 2024

Amy Vilela, in official capacity as Treasurer
Cori Bush for Congress
75 North Oaks Plaza
St Louis, MO 63121

C00638767

AF#: 4664

Dear Amy Vilela,

On September 20, 2023, the Federal Election Commission ("the Commission" or "FEC") found reason to believe ("RTB") that Cori Bush for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2023 July Quarterly Report. By letter dated September 22, 2023, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage totaling \$4,964, in accordance with the schedule of penalties at 11 CFR § 111.43.

On October 25, 2023, the FEC received payment of the civil money penalty calculated at the RTB stage. The Commission made a final determination on February 14, 2024 that Cori Bush for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a), assessed a civil money penalty in the amount of \$4,964, in accordance with 11 CFR § 111.43, and voted to close the file.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding this matter, please contact Ben Holly on the toll-free number, (800) 424-9530 (at the prompt, press 5 to reach the Reports Analysis Division) or (202) 694-1130.

CORI BUSH FOR CONGRESS

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On behalf of the Commission,

A handwritten signature in black ink that reads "Sean J. Cooksey". The signature is written in a cursive, flowing style.

Sean J. Cooksey
Chairman