



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2893

DATE SCANNED 7/9/15

SCANNER NO. 2

SCAN OPERATOR JA



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SECRET
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2014 DEC 16 AM 9:25

December 15, 2014

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

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

Debbie Chacona *for PCO*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickeral *KDR*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2014 12 Day Pre-General Report
(Unauthorized Committees – Monthly Filers) for the Administrative Fine
Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2014 12 Day Pre-General Report in accordance with 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). The 12 Day Pre-General Report was due on October 23, 2014 and the General Election was held on November 4, 2014. The list is comprised of unauthorized committees that file monthly.

The committees listed on the attached RTB Circulation Report either filed the election sensitive report after the due date, failed to file the report or failed to file the report prior to four (4) days before the General Election (considered a non-filed report). In accordance with the schedule of civil money penalties at 11 CFR 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 listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(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.

44-38861-10000

12/15/2014 5:13 PM

Federal Election Commission
Reason to Believe Circulation Report
2014 PRE-GENERAL Election Sensitive 10/23/2014 UNAUTH_M

System#	Committee ID	Committee Name	Cand ID	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2883	C00270967	CAPITAL BLUEPAC, THE POLITICAL ACTION COMMITTEE OF CAPITAL BLUEPAC			ROBERT BAKER	\$199,852	1	11/5/2014	Not Filed	\$2,535	\$687
2886	C00422501	CSL BEHRING EMPLOYEES POLITICAL ACTION COMMITTEE			PATRICK COLLINS	\$132,240	0	11/3/2014	Not Filed	\$4,332	\$550

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2014)
12 Day Pre-General Report (Unauthorized)
Committees - Monthly Filers) for the)
Administrative Fine Program:)

CAPITAL BLUEPAC, THE POLITICAL) AF# 2883
ACTION COMMITTEE OF CAPITAL)
BLUECROSS, and BAKER, ROBERT as)
treasurer;)

CSL BEHRING EMPLOYEES) AF# 2886
POLITICAL ACTION COMMITTEE, and)
PATRICK COLLINS as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 17, 2014 the Commission took the following actions on the Reason To Believe Recommendation - 2014 12 Day Pre-General Report (Unauthorized Committees - Monthly Filers) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 15, 2014, on the following committees:

AF#2883 Decided by a vote of 6-0 to: (1) find reason to believe that CAPITAL BLUEPAC, THE POLITICAL ACTION COMMITTEE OF CAPITAL BLUECROSS, and BAKER, ROBERT as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(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 Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission
Certification for Administrative Fines
December 17, 2014

Page 4

Attest:

December 18, 2014

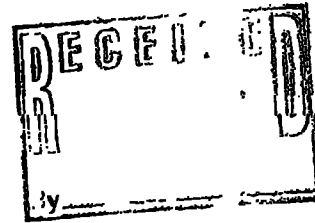
Date

Shawn Woodhead Werth

Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463



December 18, 2014

Robert Baker, in official capacity as Treasurer
Capital BluePAC, The Political Action Committee of Capital BlueCross
P.O. Box 60710
Harrisburg, PA 17177

C00270967
AF#: 2883

Dear Mr. Baker:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period October 1, 2014 through October 15, 2014, shall be filed no later than October 23, 2014. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report prior to four (4) days before the General Election held on November 4, 2014, the report is considered not filed for the purpose of calculating the civil money penalty.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). 52 U.S.C. § 30109(a)(4) (formerly 2 U.S.C. 437g(a)(4)). On December 17, 2014, the FEC found that there is reason to believe ("RTB") that Capital BluePAC, The Political Action Committee of Capital BlueCross and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)) by failing to file timely this report on or before October 23, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$687. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$687 is due within forty (40) days of the finding, or by January 26, 2015, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$2,535

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the General Election held on November 4, 2014 are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 1

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

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

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or January 26, 2015. 11 CFR § 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 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (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 CFR § 111.35(b). In order 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 CFR § 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 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

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, the FEC will assume that the preceding factual allegations are true and make a final determination that Capital BluePAC, The Political Action Committee of Capital BlueCross and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(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 FEC 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 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. 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.

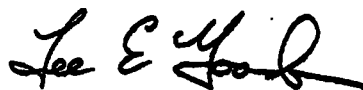
5. Settlement Offers

If you make a payment in an amount less than the calculated civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite 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) (formerly 2 U.S.C. § 437g(a)(2)). It will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)) and 30109(a)(12)(A) (formerly 437g(a)(12)(A)) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

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 <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall 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. 1660) or (202) 694-1660.

On behalf of the Commission;



Lee E. Goodman
Chairman

FEC Reporting Dates (2014)

Page 7 of 9

• Campaign Guides

- [Candidate Guide, p. 82 \[PDF\]](#)
- [Nonconnected Guide, pp. 47-48 \[PDF\]](#)
- [SSF Guide, pp. 45-46 \[PDF\]](#)
- [Party Guide, p. 71 \[PDF\]](#)

FOOTNOTE:

³ Notice that this filing deadline falls on a weekend or federal holiday. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received by close of business on the last business day before the deadline.

[TOP]

Pre-Primary Reports

Chart of 2014 Congressional Pre-Election Reporting Dates

This chart contains a list of primary, convention and runoff election dates for 2014 House and Senate candidates.

NOTE: Dates are subject to change. The chart will be updated as additional primary/convention dates are set.

Candidate committees must file a pre-election report if the candidate is running in the election.

Political parties and PACs filing on a quarterly basis in 2014 are subject to pre-election reporting requirements if they make previously undisclosed contributions or expenditures in connection with any primary and/or runoff.

Political parties and PACs filing on a monthly basis in 2014 need not file pre-election reports.

[TOP]

Pre- and Post-General Reports

Report	Period Covered	Filing Deadline ⁴ [see Method of Filing section]
Pre-General³ <ul style="list-style-type: none">• Congressional [HTML]• Quarterly Filing PAC/Party⁴ [HTML]	October 1 - 15, 2014	October 23, 2014

http://www.fec.gov/info/report_dates_2014.shtml

12/24/2014

Capital BLUE

January 26, 2015

FEC's Office of Administrative Review
999 E Street, NW
Washington, DC 20463

RE: Capital BluePAC
AF # 2883
COO270967

Dear Sir or Madam:

I am writing in response to the attached civil penalty notice. We respectfully request that the penalty be waived based on the following facts:

- Capital BluePAC is a monthly filer of FEC reports.
- Capital BluePAC filed its October 2014 monthly report, which covers the period September 1-30, 2014, on or before October 20, 2014.
- Capital BluePAC filed its November 2014 monthly report, which covers the period October 1-31, 2014, on or before November 20, 2014.
- Capital BluePAC did not file a pre-general election report based on the attached FEC's reporting date instructions that provide that "Political parties and PACs filing on a monthly basis in 2014 need not file pre-election reports."
- Romi Adame-Wilson from FEC explained that we should not have filed the monthly reports but should have filed the pre- and post-general reports instead, also stating that we would not incur a fine for not filing as we had filed for the periods, just not the correct reports.

Capital BluePAC has complied with FEC filing requirements to the best of its knowledge. The FEC's reporting date instructions caused confusion whereby we complied with the instructions not knowing that there was a conflict in the filing date instructions. We ask that the penalty be waived. In the future we will confirm deadlines with FEC staff.

If you should have any questions, please contact Douglas E. Hamill, CPA, Director of Tax and Regulatory Reporting, at 717-541-6932.

Sincerely,



Linda Melusky
Assistant Treasurer
Capital BluePAC Treasurer

Attachments

Harrisburg, PA 17177 | capbluecross.com



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2015 MAR 31 AM 10:36

SENSITIVE

March 31, 2015

MEMORANDUM

To: The Commission

Through: Alec Palmer *ewh for*
Staff Director

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

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2883 – Capital BluePAC, The
Political Action Committee of Capital BlueCross, and Robert Baker, in his
official capacity as Treasurer (C00270967)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation. After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 31, 2015

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2883 – Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer (C00270967)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$687 civil money penalty.

Reason-to-Believe Background

The 2014 Pre-General Report covering October 1 through October 15, 2014 was due on October 23, 2014. On November 5, 2014, the Committee filed the 2014 November Monthly Report covering the period of October 1 through October 31, 2014. The Committee disclosed activity which should have been reported on the 2014 Pre-General Report. The 2014 Pre-General Report is election sensitive. Since the activity was not filed prior to four days before the November 4, 2014 General Election, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(2).

On December 17, 2014, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to timely file the 2014 Pre-General Report and made a preliminary determination that the civil money penalty was \$687 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on December 18, 2014 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee not authorized by a candidate which is filing on a monthly basis shall file a pre-general election report no later than the 12th day before the general election in any year in which a regularly scheduled general election is held. 52 U.S.C. § 30104(a)(4)(B) (formerly 2 U.S.C. § 434(a)(4)(B)) and 11 C.F.R. § 104.5(c)(3)(ii). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On January 30, 2015, the Commission received the written response ("challenge") from the Committee's Assistant Treasurer. The respondents request that the civil money penalty be waived based on the following facts:

- "Capital BluePAC is a monthly filer of FEC reports.
- Capital BluePAC filed its October 2014 monthly report, which covers the period September 1-30, 2014, on or before October 20, 2014.
- Capital BluePAC filed its November 2014 monthly report, which covers the period October 1-31, 2014, on or before November 20, 2014.
- Capital BluePAC did not file a pre-general election report based on the attached FEC's reporting date instructions that provide that 'Political parties and PACs filing on a monthly basis in 2014 need not file pre-election reports.'
- [Romy] Adame-Wilson from FEC explained that we should not have filed the monthly reports but should have filed the pre- and post-general reports instead, also stating that we would not incur a fine for not filing as we had filed for the periods, just not the correct reports."

The challenge includes a copy of the RTB Letter and the relevant filing requirements page of the Commission's website.

Analysis

The Committee transitioned from a quarterly filer to a monthly filer in May 2013. The Act states that a political committee not authorized by a candidate which is filing on a monthly basis shall file a pre-general election report no later than the 12th day before the general election in any year in which a regularly scheduled general election is held. 52 U.S.C. § 30104(a)(4)(B) (formerly 2 U.S.C. § 434(a)(4)(B)) and 11 C.F.R. § 104.5(c)(3)(ii).

The respondents contend that they relied on the FEC Reporting Dates page of the Commission's website¹ when determining their reporting requirements as a monthly filer. The respondents' attachment specifically highlights the following text: "Political parties and PACs filing on a monthly basis in 2014 need not file pre-election reports." However, the relevant section applied to Pre-Primary Reports only. The full text provided on the website reads:

"Pre-Primary Reports

Chart of 2012 Congressional Pre-Election Reporting Dates

This chart contains a list of primary, convention and runoff election dates for 2014 House and Senate candidates. NOTE: Dates are subject to change. The chart will be updated as additional primary/convention dates are set.

¹ http://www.fec.gov/info/report_dates_2014.shtml

Candidate committees must file a pre-election report if the candidate is running in the election.

Political parties and PACs filing on a quarterly basis in 2014 are subject to pre-election reporting requirements if they make previously undisclosed contributions or expenditures in connection with any primary and/or runoff.

Political parties and PACs filing on a monthly basis in 2014 need not file pre-election reports."

On December 20, 2013, the Commission's Information Division sent an email to "linda.melusky@capbluecross.com." The email reminded the Committee of the 2013 Year End Report filing requirement and also included a link to the 2014 filing requirements on the Commission's website. The 2014 monthly reporting schedule included the 2014 Pre-General Report due October 23, 2014.

According to RAD telecoms (written records of telephone conversations), on February 19, 2014, Ms. Linda Meluski, Assistant Treasurer, called David Butler, RAD Analyst, to ask for clarification in the 2014 monthly reporting schedule. Mr. Butler confirmed that all monthly filers are required to file the 2014 Pre-General Report, regardless of activity.

On August 28, 2014, the Commission's Information Division sent an email to "linda.melusky@capbluecross.com." The email reminded the Committee of the September Monthly Report filing requirement and included a link to the Monthly Report Prior Notice on the Commission's website. The notice detailed the monthly reporting schedule for the remainder of the 2014 calendar year, including the 2014 Pre-General Report due October 23, 2014.

On October 1, 2014, the Information Division inadvertently sent an email to "linda.melusky@capbluecross.com" referencing the 2014 Pre-General Report filing requirements for quarterly filers. The notice explained that only those quarterly filers that made contributions or expenditures in connection with the 2014 General Election during the coverage period were required to file the 2014 Pre-General Report. While this erroneous notice may have potentially caused confusion, the respondents' challenge did not indicate that they relied on the information in this notice.

The respondents were again reminded of the 2014 Pre-General reporting requirement on October 21, 2014. According to the Manager of the Electronic Filing and Disclosure Branch in the Commission's Office of the Chief Information Officer, the Electronic Filing Office ("EFO") sent a reminder email to "traci.lumadue@capbluecross.com," the email address previously provided by the Committee to EFO. The email stated: "Please note, Electronic filers have until 11:59 (EDT) on Thursday, October 23 to submit their 12 Day Pre-General Report on time."

On October 24, 2014, EFO sent a late notification email to "traci.lumadue@capbluecross.com." The email notified the Committee that it had failed to electronically file the 2014 Pre-General Report.

On November 5, 2014, the Committee filed the 2014 November Monthly Report covering the period of October 1 through October 31, 2014. The Committee disclosed activity which should have been reported on the 2014 Pre-General Report covering October 1 through October 15, 2014, and due on October 23, 2014. The 2014 Pre-General Report is election sensitive. Since the activity was not filed prior to four days before the November 4, 2014 General Election, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(2).

On November 25, 2014, Ms. Traci Lumadue called Ms. Romy Adame-Wilson, RAD Analyst, for clarification on the coverage dates for the 2014 Post-General Report. Ms. Adame-Wilson then informed the Committee that it had filed a November Monthly Report in lieu of the Pre-General Report. Ms. Lumadue indicated that she thought the Pre-General Report was not required because the Committee did not have any activity. Ms. Adame-Wilson explained that monthly filers are required to file the Pre-General Report, regardless of activity. Ms. Adame-Wilson then advised the Committee to correct their reporting, and Ms. Lumadue said the Committee's accountant would call back for assistance.

On November 26, 2014, Ms. Melusky called the Ms. Adame-Wilson for assistance in filing the 2014 Pre-General Report. Ms. Adame-Wilson provided the necessary assistance, and the Committee correctly filed the 2014 Pre-General Report. The report disclosed total receipts of \$785.61 and total disbursements of \$1,750.

The respondents contend that Ms. Adame-Wilson informed the Committee that it "would not incur a fine for not filing." However, according to Ms. Debbie Chacona, Assistant Staff Director of RAD, RAD's telecom records do not indicate that Ms. Adame-Wilson, or any other RAD Analyst, ever made such a statement.

The Commission notified the respondents of their requirement to file the 2014 Pre-General Report on several occasions. Negligence and failure to know reporting dates are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control. Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 104.14(d). Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$687 civil money penalty.

OAR Recommendations

- 1) Adopt the Reviewing Officer recommendation for AF# 2883 involving Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer in making the final determination;
- 2) Make a final determination in AF# 2883 that Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$687 civil money penalty; and
- 3) Send the appropriate letter.

Attachments

Attachment 1 – Challenge Received from Respondents
Attachment 2 –
Attachment 3 –
Attachment 4 –
Attachment 5 – Declaration from RAD
Attachment 6 – Declaration from OAR

Capital BLUE

January 26, 2015

FEC's Office of Administrative Review
999 E Street, NW
Washington, DC 20463

RE: Capital BluePAC
AF # 2883
COO270967

Dear Sir or Madam:

I am writing in response to the attached civil penalty notice. We respectfully request that the penalty be waived based on the following facts:

- Capital BluePAC is a monthly filer of FEC reports.
- Capital BluePAC filed its October 2014 monthly report, which covers the period September 1-30, 2014, on or before October 20, 2014.
- Capital BluePAC filed its November 2014 monthly report, which covers the period October 1-31, 2014, on or before November 20, 2014.
- Capital BluePAC did not file a pre-general election report based on the attached FEC's reporting date instructions that provide that "Political parties and PACs filing on a monthly basis in 2014 need not file pre-election reports."
- Romi Adame-Wilson from FEC explained that we should not have filed the monthly reports but should have filed the pre- and post-general reports instead, also stating that we would not incur a fine for not filing as we had filed for the periods, just not the correct reports.

Capital BluePAC has complied with FEC filing requirements to the best of its knowledge. The FEC's reporting date instructions caused confusion whereby we complied with the instructions not knowing that there was a conflict in the filing date instructions. We ask that the penalty be waived. In the future we will confirm deadlines with FEC staff.

If you should have any questions, please contact Douglas E. Hamill, CPA, Director of Tax and Regulatory Reporting, at 717-541-6932.

Sincerely,



Linda Melusky
Assistant Treasurer
Capital BluePAC Treasurer

Attachments

Harrisburg, PA 17177 | capbluecross.com

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Capital BluePAC, The Political Action Committee of Capital BlueCross:
 - A) Acknowledgement of Filing Frequency Change, dated May 13, 2013 (sent via electronic mail to: linda.melusky@capbluecross.com);
 - B) Reason-to-Believe Letter, dated December 18, 2014 referencing the 2014 12 Day Pre-General Report (sent via overnight mail to the address of record).
3. I hereby certify that I have searched the Commission's public records and find that Capital BluePAC, The Political Action Committee of Capital BlueCross filed the 2014 November Monthly Report, covering the period from October 1, 2014 through October 31, 2014, with the Commission on November 5, 2014. In addition, Capital BluePAC, The Political Action Committee of Capital BlueCross filed a 2014 12 Day Pre-General Report, covering the period from October 1, 2014 through October 15, 2014, with the Commission on November 26, 2014.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 27th day of March, 2015.

Kristin D. Roser

Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MS-O

May 13, 2013

ROBERT BAKER, TREASURER
CAPITAL BLUEPAC
PO BOX 60710
HARRISBURG, PA 17106

IDENTIFICATION NUMBER: C00270967

REFERENCE: CHANGE TO MONTHLY FILER

Dear Treasurer:

The Commission has received notification of your 5/8/2013 request to change to a Monthly filer of receipts and disbursements.

Please be advised that under Section 104.5(c) of the Commission regulations, a committee may change its filing frequency no more than once per calendar year. Attached is a reporting schedule for the remainder of the 2013 calendar year.

If you have any questions, please contact David Garr in the Reports Analysis Division on the toll free number, (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division). His local number is (202) 694-1137.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodi Winship".

Jodi Winship
Chief, Compliance Branch
Reports Analysis Division

2013 Monthly Filing Schedule

Report Type	Coverage dates	Due Date
June Monthly	5/1/2013 - 5/31/2013	6/20/2013
July Monthly	6/1/2013 - 6/30/2013	7/20/2013
August Monthly	7/1/2013 - 7/31/2013	8/20/2013
September Monthly	8/1/2013 - 8/31/2013	9/20/2013
October Monthly	9/1/2013 - 9/30/2013	10/20/2013
November Monthly	10/1/2013 - 10/31/2013	11/20/2013
December Monthly	11/1/2013 - 11/30/2013	12/20/2013
Year End	12/1/2013 - 12/31/2013	1/31/2014



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 18, 2014

Robert Baker, in official capacity as Treasurer
Capital BluePAC, The Political Action Committee of Capital BlueCross
P.O. Box 60710
Harrisburg, PA 17177

C00270967
AF#: 2883

Dear Mr. Baker:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period October 1, 2014 through October 15, 2014, shall be filed no later than October 23, 2014. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report prior to four (4) days before the General Election held on November 4, 2014, the report is considered not filed for the purpose of calculating the civil money penalty.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). 52 U.S.C. § 30109(a)(4) (formerly 2 U.S.C. 437g(a)(4)). On December 17, 2014, the FEC found that there is reason to believe ("RTB") that Capital BluePAC, The Political Action Committee of Capital BlueCross and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)) by failing to file timely this report on or before October 23, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$687. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$687 is due within forty (40) days of the finding, or by January 26, 2015, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$2,535

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the General Election held on November 4, 2014 are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 1

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

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

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or January 26, 2015. 11 CFR § 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 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (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 CFR § 111.35(b). In order 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 CFR § 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 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

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, the FEC will assume that the preceding factual allegations are true and make a final determination that Capital BluePAC, The Political Action Committee of Capital BlueCross and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(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 FEC 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 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. 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.

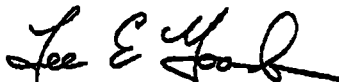
5. Settlement Offers

If you make a payment in an amount less than the calculated civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite 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) (formerly 2 U.S.C. § 437g(a)(2)). It will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)) and 30109(a)(12)(A) (formerly 437g(a)(12)(A)) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

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 <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall 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. 1660) or (202) 694-1660.

On behalf of the Commission,



Lee E. Goodman
Chairman

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$687 for the 2014 Pre-General Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by January 26, 2015. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Capital BluePAC, The Political Action Committee of Capital BlueCross

FEC ID#: C00270967

AF#: 2883

PAYMENT DUE DATE: January 26, 2015

PAYMENT AMOUNT DUE: \$687

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A political committee not authorized by a candidate which is filing on a monthly basis shall file a pre-general election report no later than the 12th day before the general election in any year in which a regularly scheduled general election is held. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on October 23, 2014 for the 2014 12 Day Pre-General Report to be timely filed.
- 3) It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
- 4) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Report Cover Page, Summary Page, and Detailed Summary Pages for the 2014 November Monthly Report electronically filed by Capital BluePAC, The Political Action Committee of Capital BlueCross and Robert Baker, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from October 1 through 31, 2014 and was received on November 5, 2014.
 - b) Report Cover Page, Summary Page, and Detailed Summary Pages for the 2014 Pre-General Report electronically filed by Capital BluePAC, The Political Action Committee of Capital BlueCross and Robert Baker, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from October 1 through 15, 2014 and was received on November 26, 2014.
- 5) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 31st day of March, 2015.



Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

Image# 14952572814

PAGE 1 / 23

**FEC
FORM 3X****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type
over the lines.

12FE4M5

Capital BluePAC, The Political Action Committee of Capital BlueCross

ADDRESS (number and street)

PO Box 80710

Check if different
than previously
reported. (ACC)

Harrisburg

PA

17177-2531

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00270967

3. IS THIS
REPORT☒NEW
(N)

OR

☐AMENDED
(A)4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:

☐ April 15
Quarterly Report (Q1)☐ July 15
Quarterly Report (Q2)☐ October 15
Quarterly Report (Q3)☐ January 31
Year-End Report (YE)☐ July 31 Mid-Year
Report (Non-election
Year Only) (MY)☐ Termination Report
(TER)(b) Monthly
Report
Due On:☐ Feb 20 (M2)☐ May 20 (M5)☐ Aug 20 (M8)☒ Nov 20 (M11)
(Non-Election
Year Only)☐ Mar 20 (M3)☐ Jun 20 (M6)☐ Sep 20 (M9)☐ Dec 20 (M12)
(Non-Election
Year Only)☐ Apr 20 (M4)☐ Jul 20 (M7)☐ Oct 20 (M10)☐ Jan 31 (YE)(c) 12-Day
PRE-Election
Report for the:☐ Primary (12P)☐ General (12G)☐ Runoff (12R)☐ Convention (12C)☐ Special (12S)

Election on

M M / D D / Y Y Y Y

In the
State of(d) 30-Day
POST-Election
Report for the:☐ General (30G)☐ Runoff (30R)☐ Special (30S)

Election on

M M / D D / Y Y Y Y

In the
State of

5. Covering Period

M M / D D / Y Y Y Y
10 01 2014

through

M M / D D / Y Y Y Y
10 31 2014

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Robert Baker

Signature of Treasurer

Robert Baker

[Electronically Filed]

Date

M M / D D / Y Y Y Y
11 05 2014

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only**FEC FORM 3X**
Rev. 12/2004

SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

Capital BluePAC, The Political Action Committee of Capital BlueCross

Report Covering the Period:

From:

10 / 01 / 2014

To:

10 / 31 / 2014

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2014		6715.74
(b) Cash on Hand at Beginning of Reporting Period.....	5200.44	
(c) Total Receipts (from Line 19)	1571.22	41700.92
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	6771.66	48416.66
7. Total Disbursements (from Line 31)	2750.00	44395.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	4021.66	4021.66
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE of Receipts

FEC Form 3X (Rev. 08/2004)

Page 3

Write or Type Committee Name

Capital BluePAC, The Political Action Committee of Capital BlueCross

Report Covering the Period:

From:

M	M	/	D	D	/	Y	Y	Y	Y
10			01			2014			

To:

M	M	/	D	D	/	Y	Y	Y	Y
10			31			2014			

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	1285.52	33696.08
(ii) Unitemized	285.70	8004.84
(iii) TOTAL (add Lines 11(a)(i) and (ii))..... ➤	1571.22	41700.92
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5)..... ➤	1571.22	41700.92
12. Transfers From Affiliated/Other Party Committees.....	0.00	0.00
13. All Loans Received.....	0.00	0.00
14. Loan Repayments Received.....	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5).....	0.00	0.00
16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.).....	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3).....	0.00	0.00
(b) Levin Funds (from Schedule H5).....	0.00	0.00
(c) Total Transfers (add 18(a) and 18(b))..	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c))..... ➤	1571.22	41700.92
20. Total Federal Receipts (subtract Line 18(c) from Line 19)..... ➤	1571.22	41700.92

UNIVERSITY OF CALIFORNIA

4-11-2020

UNIVERSITY OF MICHIGAN

എറണാകുളം

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures	0.00	0.00
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b))	0.00	0.00
22. Transfers to Affiliated/Other Party Committees.....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	0.00
24. Independent Expenditures (use Schedule E).....	0.00	0.00
25. Coordinated Party Expenditures (2 U.S.C. §441a(d)) (use Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	0.00	0.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)).....	0.00	0.00
29. Other Disbursements	2750.00	44395.00
30. Federal Election Activity (2 U.S.C. §431(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share	0.00	0.00
(ii) "Levin" Share.....	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)).....	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c))..	2750.00	44395.00
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	2750.00	44395.00

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 5

III. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3)	1571.22	41700.92
34. Total Contribution Refunds (from Line 28(d))	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	1571.22	41700.92
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	0.00	0.00

Image# 14952622539

**FEC
FORM 3X****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

Capital BluePAC, The Political Action Committee of Capital BlueCross

ADDRESS (number and street)

PO Box 60710

Check if different
than previously
reported. (ACC)

Harrisburg

PA

17177-2531

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00270967

3. IS THIS
REPORT☐ NEW
(N)

OR

☒ AMENDED
(A)4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:

☐ April 15
Quarterly Report (Q1)☐ July 15
Quarterly Report (Q2)☐ October 15
Quarterly Report (Q3)☐ January 31
Year-End Report (YE)☐ July 31 Mid-Year
Report (Non-election
Year Only) (MY)☐ Termination Report
(TER)(b) Monthly
Report
Due On:☐ Feb 20 (M2)☐ May 20 (M5)☐ Aug 20 (M8)☐ Nov 20 (M11)
(Non-Election
Year Only)☐ Mar 20 (M3)☐ Jun 20 (M6)☐ Sep 20 (M9)☐ Dec 20 (M12)
(Non-Election
Year Only)☐ Apr 20 (M4)☐ Jul 20 (M7)☐ Oct 20 (M10)☐ Jan 31 (YE)(c) 12-Day
PRE-Election
Report for the:☐ Primary (12P)☒ General (12G)☐ Runoff (12R)☐ Convention (12C)☐ Special (12S)

Election on

MM / DD / YYYY
11 / 04 / 2014in the
State of(d) 30-Day
POST-Election
Report for the:☐ General (30G)☐ Runoff (30R)☐ Special (30S)

Election on

MM / DD / YYYY

in the
State of

5. Covering Period

MM / DD / YYYY
10 / 01 / 2014

through

MM / DD / YYYY
10 / 15 / 2014

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Robert Baker

Signature of Treasurer

Robert Baker

[Electronically Filed]

Date

MM / DD / YYYY
11 / 26 / 2014

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only**FEC FORM 3X**
Rev. 12/2004

SUMMARY PAGE **OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

Capital BluePAC, The Political Action Committee of Capital BlueCross

Report Covering the Period:

From:

MM / DD / YYYY
10 / 01 / 2014

To:

MM / DD / YYYY
10 / 15 / 2014

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2014		6715.74
(b) Cash on Hand at Beginning of Reporting Period.....	5200.44	
(c) Total Receipts (from Line 19)	785.61	40915.31
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	5986.05	47631.05
7. Total Disbursements (from Line 31).....	1750.00	43395.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	4236.05	4236.05
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE of Receipts

FEC Form 3X (Rev. 06/2004)

Page 3

Write or Type Committee Name

Capital BluePAC, The Political Action Committee of Capital BlueCross

Report Covering the Period:

From:

10 / 01 / 2014

To:

10 / 15 / 2014

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	642.76	33053.32
(ii) Unitemized	142.85	7861.99
(iii) TOTAL (add Lines 11(a)(i) and (ii)).....▶	785.61	40915.31
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5).....▶	785.61	40915.31
12. Transfers From Affiliated/Other Party Committees.....	0.00	0.00
13. All Loans Received.....	0.00	0.00
14. Loan Repayments Received.....	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5).....	0.00	0.00
16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.).....	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3).....	0.00	0.00
(b) Levin Funds (from Schedule H5)	0.00	0.00
(c) Total Transfers (add 18(a) and 18(b))..	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)).....▶	785.61	40915.31
20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶	785.61	40915.31

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DETAILED SUMMARY PAGE of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures	0.00	0.00
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b))	0.00	0.00
22. Transfers to Affiliated/Other Party Committees.....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	0.00
24. Independent Expenditures (use Schedule E).....	0.00	0.00
25. Coordinated Party Expenditures (2 U.S.C. §441a(d)) (use Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	0.00	0.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)).....	0.00	0.00
29. Other Disbursements	1750.00	43395.00
30. Federal Election Activity (2 U.S.C. §431(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share	0.00	0.00
(ii) "Levin" Share.....	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)).....	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	1750.00	43395.00
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	1750.00	43395.00

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 5

III. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3)	785.61	40915.31
34. Total Contribution Refunds (from Line 28(d))	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	785.61	40915.31
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	0.00	0.00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 31, 2015

Robert Baker, Treasurer
Capital BluePAC,
The Political Action Committee of Capital BlueCross
P.O. Box 60710
Harrisburg, PA 17177-2531

C00270967
AF#: 2883

Dear Mr. Baker:

On December 17, 2014, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Capital BluePAC, The Political Action Committee of Capital BlueCross and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to file the 2014 Pre-General Report. The Commission also made a preliminary determination that the civil money penalty was \$687 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Rhiannon Magruder". The signature is written in a cursive, flowing style.

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT



April 9, 2015

2015 APR -9 PM 3: 36

Stephen A. Miller

Direct Phone 215-665-4736

Direct Fax 215-253-6796

saniller@cozen.com

VIA FACSIMILE (202-208-3333)
CONFIDENTIAL

Rhiannon Magruder
Reviewing Officer, Office of Administrative Review
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: AF #2883

Dear Ms. Magruder:

I represent Capital BluePAC, the Political Action Committee of Capital BlueCross, in the above-referenced matter. I was engaged last night. Since that time, I have learned that a written response to the Reviewing Officer's recommendation is due tomorrow, April 10th.

I am requesting your kind accommodation of a 30-day extension of this deadline. I have called twice today (202-694-1660) and left two messages, but I am writing because those messages have not yet been returned. A 30-day deadline should allow me sufficient time to prepare a written response and engage in additional discussions with you about a resolution of this matter.

Sincerely,

COZEN O'CONNOR

A handwritten signature in black ink, appearing to read 'Stephen A. Miller', written over the printed name.

By: Stephen A. Miller

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT



April 16, 2015

2015 APR 16 A 11:57

Stephen A. Miller

Direct Phone 215-665-4736

Direct Fax 215-253-6796

samiller@cozen.com

VIA FACSIMILE (202-208-3333)
CONFIDENTIAL

Rhiannon Magruder
Reviewing Officer, Office of Administrative Review
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: AF #2883

Dear Ms. Magruder:

I represent Capital BluePAC, the Political Action Committee of Capital BlueCross, in the above-referenced matter. By this letter, we respectfully request referral of this matter to the Commission's Alternative Dispute Resolution Program.

This case is well-suited for the ADR Program, which the Commission encourages as a vehicle to "resolve administrative complaints and referrals faster" than adversarial proceedings. See <http://www.fec.gov/em/adr.shtml>. Capital BluePAC timely filed all of its monthly reports in 2014. It inadvertently failed, however, to timely file a 2014 Pre-General Report based on a good-faith misunderstanding about that requirement resulting from instructions on the Commission's website and telephone guidance provided by an RAD analyst. Capital BluePAC has a long record of conscientious compliance with the Commission's regulations, and it used its best efforts to comply in the instant matter. We do not believe that the circumstances of this case warrant either adversarial litigation or a violation finding that would tarnish the reputation of a political action committee that has consistently acted with integrity.

Thank you for your consideration of our request to refer this matter to the Commission's Alternative Dispute Resolution Program.

Sincerely,

COZEN O'CONNOR

By: Stephen A. Miller

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FEDERAL ELECTION
COMMISSION
SECRETARIAT



2015 APR 16 A 11:57

April 15, 2015

VIA FACSIMILE (202-208-3333)
CONFIDENTIAL

Stephen A. Miller

Direct Phone 215-665-4736

Direct Fax 215-253-6796

samiller@cozen.com

Rhiannon Magruder
Reviewing Officer, Office of Administrative Review
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: AF #2883

Dear Ms. Magruder:

As we have discussed on the phone, I represent Capital BluePAC, the Political Action Committee of Capital BlueCross, in the above-referenced matter. By this letter, signed below by Robert Baker, Treasurer of Capital BluePAC, please accept my authorization to act on behalf of Capital BluePAC before the Commission and receive notifications and other communications on its behalf.

Sincerely,

COZEN O'CONNOR

A handwritten signature of Stephen A. Miller in black ink.

By: Stephen A. Miller

CAPITAL BLUEPAC

A handwritten signature of Robert Baker in black ink.

By: Robert Baker



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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COMMISSION
SECRETARIAT

2015 APR 23 P 1:49

April 23, 2015

MEMORANDUM

To: The Commission

Through: Alec Palmer
Staff Director

From: Patricia C. Orrock
Chief Compliance Officer

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2883 – Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer (C00270967)

SENSITIVE

On December 17, 2014, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to timely file the 2014 Pre-General Report and made a preliminary determination that the civil money penalty was \$687 based on the schedule of penalties at 11 C.F.R. § 111.43.

On January 30, 2015, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated March 31, 2015 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. They submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB, or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). On April 9, 2015, the Commission received a response from the respondents' newly designated Counsel, Mr. Stephen A. Miller, asking for an extension to the 10 day response deadline. The Reviewing Officer informed Mr. Miller that he should submit a response as soon as possible, and it must be received no later than 10 days after his designation as Counsel. On April 16, 2015, Mr. Miller submitted a response

which respectfully requests that this matter be referred to the Commission's Alternative Dispute Resolution Program ("ADR"). Mr. Miller further explains:

"This case is well-suited for the ADR Program, which the Commission encourages as a vehicle to 'resolve administrative complaints and referrals faster than adversarial proceedings. See <<http://www.fec.gov/em/adr.shtml>>. Capital BluePAC timely filed all of its monthly reports in 2014. It inadvertently failed, however, to timely file a 2014 Pre-General Report based on a good-faith misunderstanding about that requirement resulting from instructions on the Commission's website and telephone guidance provided by an RAD analyst. Capital BluePAC has a long record of conscientious compliance with the Commission's regulations, and it used its best efforts to comply in the instant matter. We do not believe that the circumstances of this case warrant either adversarial litigation or a violation finding that would tarnish the reputation of a political action committee that has consistently acted with integrity."

As stated in the ROR, negligence and failure to know reporting dates are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control. In response to Counsel's request to refer the matter to ADR, the Administrative Fines regulations do not provide for a challenge to be processed through ADR. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$687 civil money penalty. Pursuant to 11 C.F.R. § 111.38, the respondents may then submit a written petition to the U.S. District Court for the district in which the Committee or Treasurer reside, or transact business. The written petition should be submitted within 30 days of the Commission's final determination notification to the respondents.

OAR Recommendations

- 1) Adopt the Reviewing Officer recommendation for AF# 2883 involving Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer in making the final determination;
- 2) Make a final determination in AF# 2883 that Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$687 civil money penalty; and
- 3) Send the appropriate letter.

Attachments

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 2883
Capital BluePAC, The Political Action)
Committee of Capital BlueCross, and)
Robert Baker, in his official capacity as)
Treasurer (C00270967))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 15, 2015, the Commission decided by a vote of 6-0 to take the following actions in AF 2883:

1. Adopt the Reviewing Officer recommendation for AF# 2883 involving Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer in making the final determination.
2. Make a final determination in AF# 2883 that Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$687 civil money penalty.
3. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 15, 2015
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 2015

Stephen A. Miller
Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103-3508

C00270967
AF#: 2883

Dear Mr. Miller,

On December 17, 2014, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to file the 2014 Pre-General Report. By letter dated December 18, 2014, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$687 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On January 30, 2015, the Office of Administrative Review received the written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a civil money penalty in the amount of \$687 in accordance with 11 C.F.R. § 111.43. A copy of the Reviewing Officer Recommendation was sent to you on March 31, 2015 .

On June 15, 2015, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Capital BluePAC, The Political Action Committee of Capital BlueCross, and Robert Baker, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assessed a civil money penalty in the amount of \$687. A copy of the Final Determination Recommendation is attached.

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

- 1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty**
If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the

committee or treasurer reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii) (formerly 2 U.S.C. § 437g(a)(4)(C)(iii)). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

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 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within 30 days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

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

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the 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, will be rejected. 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 assessed 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.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Ann M. Ravel
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$687 for the 2014 Pre-General Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Capital BluePAC, The Political Action Committee of Capital BlueCross

FEC ID#: C00270967

AF#: 2883

PAYMENT AMOUNT DUE: \$687



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2883

DATE SCANNED 7/9/15

SCANNER NO. 2

SCAN OPERATOR JA