

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 3397



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2018 JUN 18 AM 9:56

SENSITIVE

June 18, 2018

MEMORANDUM

TO: The Commission

THROUGH: Alcc Palmer *swt/fn*
Staff Director

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

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

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

SUBJECT: Reason To Believe Recommendation –
2018 April Quarterly Report for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2018 April Quarterly Report in accordance with 52 U.S.C. § 30104(a). The April Quarterly Report was due on April 15, 2018.

The committees listed on the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-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.
2. 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.
3. Send the appropriate letters.

CONFIDENTIAL

6/18/2018 8:45 AM

Federal Election Commission
Reason to Believe Circulation Report
2018 APRIL QUARTERLY Not Election Sensitive 04/15/2018 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3397	C00368415	U.A. PLUMBERS & STEAMFITTERS LOCAL NO. 22 P.A.C., INC.		SEAN P. REDDEN	\$146,482	0		Not Filled	\$73,241 (est)	\$3,828

[illegible]

1000000000

U.A. PLUMBERS & STEAMFITTERS) AF# 3397
LOCAL NO. 22 P.A.C., INC., and)
REDDEN, SEAN P. as treasurer:)

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission,
do hereby certify that on June 20, 2018 the Commission took the following actions on
the Withdrawal and Resubmission of Reason To Believe Recommendation - 2018
April Quarterly Report for the Administrative Fine Program as recommended in the
Reports Analysis Division's Memorandum dated June 18, 2018, on the following
committees:

FOONUNUGS

FOONUNUGS

CONGRATULATIONS

CONGRATULATIONS

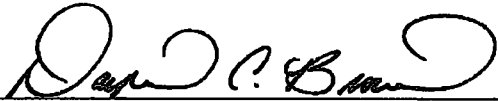
1-800-27-2266

Page 5

AF#3397 Decided by a vote of 4-0 to: (1) find reason to believe that U.A. PLUMBERS & STEAMFITTERS LOCAL NO. 22 P.A.C., INC., and REDDEN, SEAN P. in his 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 Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 20, 2018
Date


Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 20, 2018

Sean P. Redden, in official capacity as Treasurer
U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc.
3651 California Road
Orchard Park, NY 14127

C00368415
AF#: 3397

Dear Mr. Redden:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period January 1, 2018 through March 31, 2018, shall be filed no later than April 15, 2018. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

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 June 20, 2018, the FEC found that there is reason to believe ("RTB") that U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. 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 April 15, 2018. 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 \$3,828. 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 \$3,828 is due within forty (40) days of the finding, or by July 30, 2018, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$73,241
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

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 to the FEC's Office of Administrative Review, 1050 First Street, NE, Washington, DC 20002. 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 July 30, 2018. 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. 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 U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. 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 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, follow the payment instructions on page 4 of this letter. 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

Any offer to settle or compromise a debt owed to the Commission, including 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, 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 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 CFR § 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 <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly 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,

Carole C. Hunter

Caroline C. Hunter
Chair

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 \$3,828 for the 2018 April Quarterly Report.

You may remit payment by 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 www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

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

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

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

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

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: U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc.

FEC ID#: C00368415

AF#: 3397

PAYMENT DUE DATE: July 30, 2018

PAYMENT AMOUNT DUE: \$3,828

TRONCONI SEGARRA
ASSOCIATES

Certified Public Accountants
Business Consultants

July 29, 2018

FEC Office of Administrative Review
1050 First Street, NE
Washington DC 20002

Re: AF # 3397
C00368415

To Whom it May Concern:

I am writing this on behalf of my client, U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc., Treasurer Sean P. Redden, in response to a notice received regarding non filing of the quarterly report for the quarter. The information for such filing is provided to me by Mr. Redden and are entered into the software program by me and I assist with preparing such reports for Mr. Redden's review.

We are challenging the RTB Finding and civil money penalty. Mr. Redden became Treasurer in late 2017, and I started assisting with the filings also in mid-2017. In 2017, the PAC filed reports due semi-annually, i.e. January through June 2017, due in July, and July through December 2017, due in January 2018. As this was the periods for such reports in 2017, it was believed by both Mr. Redden and I that such reports for 2018 would follow the same periods, i.e. the first report for 2018 would be for the period January through June, due in July. This was the case as this was the first year both Mr. Redden and I had the responsibility of preparing such reports for the FEC.¹

We were not aware that the filing period changed for 2018 and believed the first report for 2018 was not due until July.

Upon receiving the notice from the FEC stating the first 2018 quarterly report was not filed by April 15, 2018, Mr. Redden followed up with me regarding the filing. I then contacted FEC on June 27, 2018 to inquire about the filing and due dates. I was advised that the PAC Fund is a quarterly filer and that the report was due April 15, 2018. In asking about why they filed semi-annual in 2017, it was explained that this was allowed for 2017 and not 2018 due to the election cycle. Mr. Redden and I were not aware of such change in filing requirements as we both took over the filings in mid-late 2017. I also inquired about future filing deadlines and made note of them. I explained to the contact the reason why the quarterly report had not been filed due to the above. I stated the filing would be made as soon as possible.

Upon receipt of all the information from Mr. Redden, the report was prepared and filed in early July. In addition, the report due for the quarter ended June 30, 2018 was filed as well prior to the due date of July 15, 2018. We have noted future filing dates and will ensure all future reports are filed timely.

The notice received also imposed a civil money penalty of \$3,828. This was based on an unfiled report. In speaking to the FEC representative regarding the notice, he stated this amount would be recalculated once the filing was received as it was based on an estimated amount. As the report has been filed in early July, we had expected to receive an updated notice with an updated amount. To date, the updated notice has not been received. As such, we are responding to this original notice with estimated amount due.

We respectfully request that the civil fine be considered for abatement due to the above noted reasons. The report on the notice was filed late due to the fact the Mr. Redden and I took over the filing responsibilities in mid-late 2017 and the belief that the filing periods and due dates for 2018 were the same as 2017. It was not an intentional disregard for the filing due dates.

Please take the above into consideration and note that the first quarterly filing for 2018 has been made, and the second quarter filing for 2018 has been made, and there are no past due filings.

Sincerely,



Diane M. Straka, CPA



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 2, 2018

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

AF# 3397 – U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and Sean P. Redden, in his official capacity as Treasurer (C00368415)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$667 civil money penalty.

Reason-to-Believe Background

The 2018 April Quarterly Report was due on April 15, 2018. The respondents filed the report on July 6, 2018, 82 days late. The report is not election sensitive and was not filed within 30 days of the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On June 20, 2018, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 April Quarterly Report and made a preliminary determination that the civil money penalty was \$3,828 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 June 20, 2018 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 committee not authorized by a candidate shall file, in an election year, a report for the period ending March 31 no later than April 15. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(c)(1)(i). Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on April 15 for the April Quarterly Report 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 August 8, 2018, the Commission received the written response ("challenge") from the respondents' CPA. They explain that the CPA began filing the Committee's reports in mid-2017, and Mr. Redden became Treasurer in late 2017. After filing semi-annually in 2017, they believed they would follow the same semi-annual reporting schedule in 2018.

After receiving the RTB Letter in this matter, the CPA contacted RAD to inquire about the Committee's filing requirements. The RAD Analyst explained semi-annual filing was acceptable in 2017, but the Committee must file quarterly in 2018. The CPA noted future filing deadlines and stated the April Quarterly would be filed as soon as possible. The Committee filed the April and July Quarterly Reports in early July.

The CPA notes that the RTB penalty is based on an estimated level of activity since the report was not filed at the time of the RTB finding. They request that the Commission consider abating the penalty given both the CPA and Treasurer assumed reporting responsibilities in 2017 and were unaware of the schedule change for 2018. The respondents state "it was not an intentional disregard for the filing due dates."

Analysis

The respondents contend they were not aware of the quarterly filing schedule in 2018. However, Commission records indicate they were notified of their 2018 April Quarterly reporting requirement on multiple occasions prior to the filing deadline.

On December 25, 2017, the Commission's Information Division sent the 2017 Year-End Prior Notice to "seanrlu@aol.com," the email address listed on the Committee's Statement of Organization. The notice included the full quarterly filing schedule for 2018, including the 2018 April Quarterly Report. Then on March 23, 2018 the Information Division sent the 2018 April Quarterly Report Prior Notice to the same email address, specifically highlighting the Committee's requirement to file the report. On April 10, 2018, the Commission's Electronic Filing Office ("EFO") sent a reminder email regarding the 2018 April Quarterly Report to "seanrlu@aol.com," "dstraka@tsacpa.com," and "roslu22@aol.com." On July 16, 2018, the day following the filing deadline, EFO sent a late notification email to the same email addresses because the report had not yet been filed. On May 1, 2018, RAD sent the non-filer notification to "seanrlu@aol.com."

Based on these notifications, the respondents should have been aware of the 2018 April Quarterly Report filing requirement. Further, failure to know filing dates and inexperience of a Treasurer or committee staff are included at 11 C.F.R. § 111.35(d) as examples of a circumstance that will not be considered reasonably unforeseen and beyond the respondents' control. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a).

As mentioned in the challenge, the Commission used an estimated level of activity (\$73,241) to calculate the penalty at RTB because the 2018 April Quarterly Report had not yet been filed. 11 C.F.R § 111.43(d)(2)(i). The Committee filed the report on July 6, 2018, 82 days late. The report discloses \$13,373 in total receipts and \$9,385 in total disbursements. Therefore, the actual level of activity of the 2018 April Quarterly Report is \$22,758. Using the schedule of penalties at 11 C.F.R § 111.43(a) for the level of activity bracket of \$10,000 - \$24,999.99, the civil money penalty is $\$667 \times [1 + (.25 \times 0 \text{ previous violations})]$ or \$667. Therefore, the Reviewing Officer recommends that the Commission assess a \$667 civil money penalty (reduced from the RTB civil money penalty of \$3,828).

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3397 involving U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and Sean P. Redden, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3397 that U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and Sean P. Redden, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$667 civil money penalty (reduced from the RTB civil money penalty of \$3,828); and
3. Send the appropriate letter.

Attachments

- Attachment 1 –
- Attachment 2 –
- Attachment 3 –
- Attachment 4 – Declaration from RAD
- Attachment 5 – Declaration from OAR

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. 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.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc.:
 - A) Non-Filer Letter, dated May 1, 2018, referencing the 2018 April Quarterly Report (sent via regular mail to the address of record);
 - B) Reason-to-Believe Letter, dated June 20, 2018, referencing the 2018 April Quarterly Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. filed the 2018 April Quarterly Report with the Commission on July 6, 2018.
5. 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 23rd day of August, 2018.

Kristin Roser

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

May 1, 2018

REDDEN, SEAN P., TREASURER
U.A. PLUMBERS & STEAMFITTERS LOCAL NO. 22 P.A.C., INC.
3651 CALIFORNIA ROAD
ORCHARD PARK, NY 14127

IDENTIFICATION NUMBER: C00368415

REFERENCE: APRIL QUARTERLY REPORT (01/01/2018 - 03/31/2018)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report or relevant portions must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Ben Holly in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1129.

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 principal campaign committee shall file a report for the period ending March 31 no later than April 15 in an election year. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on April 15, 2018 for the 2018 April Quarterly Report to be timely filed.
- 3) 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) Cover Page and Detailed Summary Pages of the 2018 April Quarterly filed by U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and Sean P. Redden, in his official capacity as Treasurer. The report includes the coverage period of January 1, 2018 through March 31, 2018 and was filed on July 6, 2018.
- 4) 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 2nd day of October, 2018.

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

Image# 201807069115240665

**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

U.A. PLUMBERS & STEAMFITTERS LOCAL NO. 22 P.A.C., INC.

ADDRESS (number and street)

120 Gardenville Parkway

Check if different
than previously
reported. (ACC)

West Seneca

NY

14224

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00368415

3. IS THIS
REPORTNEW
(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

in 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
01 / 01 / 2018

through

MM / DD / YYYY
03 / 31 / 2018

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

REDDEN, SEAN, P.,

Type or Print Name of Treasurer

Signature of Treasurer

REDDEN, SEAN, P.,

[Electronically Filed]

Date

MM / DD / YYYY
07 / 05 / 2018

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office
Use
Only**FEC FORM 3X**
Rev. 05/2018

SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 05/2016)

Page 2

Write or Type Committee Name

U.A. PLUMBERS & STEAMFITTERS LOCAL NO. 22 P.A.C., INC.

Report Covering the Period:

From:

M	M	/	D	D	/	Y	Y	Y	Y
01			01			2018			

To:

M	M	/	D	D	/	Y	Y	Y	Y
03			31			2018			

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2018		84215.51
(b) Cash on Hand at Beginning of Reporting Period.....	84215.51	
(c) Total Receipts (from Line 19).....	13373.32	13373.32
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	97588.83	97588.83
7. Total Disbursements (from Line 31).....	9385.00	9385.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	88203.83	88203.83
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. 05/2016)

Page 3

Write or Type Committee Name

U.A. PLUMBERS & STEAMFITTERS LOCAL NO. 22 P.A.C., INC.

Report Covering the Period:

From:

M	M	/	D	D	/	Y	Y	Y	Y
0	1	/	0	1	/	2	0	1	8

To:

M	M	/	D	D	/	Y	Y	Y	Y
0	3	/	3	1	/	2	0	1	8

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).....	0.00	0.00
(ii) Unitemized.....	13373.32	13373.32
(iii) TOTAL (add Lines 11(a)(i) and (ii)).....▶	13373.32	13373.32
(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).....▶	13373.32	13373.32
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)).....▶	13373.32	13373.32
20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶	13373.32	13373.32

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3X (Rev. 05/2016)

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 (52 U.S.C. § 30116(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 (Including Non-Federal Donations)	9385.00	9385.00
30. Federal Election Activity (52 U.S.C. § 30101(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)) ..	9385.00	9385.00
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31)	9385.00	9385.00

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 05/2016)

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)	13373.32	13373.32
34. Total Contribution Refunds (from Line 28(d))	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	13373.32	13373.32
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

October 2, 2018

Sean P. Redden, in official capacity as Treasurer
U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc.
120 Gardenville Parkway
West Seneca, NY 14224

C00368415
AF#: 3397

Dear Mr. Redden

On June 20, 2018, the Federal Election Commission ("Commission") found reason to believe ("RTB") that U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 April Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$3,828 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 and assess a civil money penalty. 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, 1050 First Street, NE, 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,

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

2018 OCT 25 AM 9:56

SENSITIVE

October 25, 2018

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP* by *MAH*
Staff Director

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

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3397 – U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and Sean P. Redden, in his official capacity as Treasurer (C00368415)

On June 20, 2018, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 April Quarterly Report and made a preliminary determination that the civil money penalty was \$3,828 based on the schedule of penalties at 11 C.F.R. § 111.43.

On August 8, 2018, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated October 2, 2018 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$667 civil money penalty (reduced from the RTB civil money penalty of \$3,828).

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). The respondents have since indicated they will not be submitting a response and also paid the recommended civil money penalty of \$667.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3397 involving U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and Sean P. Redden, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3397 that U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and Sean P. Redden, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$667 civil money penalty (reduced from the RTB civil money penalty of \$3,828); and
3. Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3397
Final Determination Recommendation:)
U.A. Plumbers & Steamfitters Local No.)
22 P.A.C., Inc. and Sean P. Redden, in)
his official capacity as Treasurer)
(C00368415))

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on November 19, 2018, the Commission
decided by a vote of 4-0 to take the following actions in AF 3397:

1. Adopt the Reviewing Officer recommendation for AF# 3397
involving U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc.
and Sean P. Redden, in his official capacity as Treasurer, in
making the final determination.
2. Make a final determination in AF# 3397 that U.A. Plumbers &
Steamfitters Local No. 22 P.A.C., Inc. and Sean P. Redden, in his
official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and
assess a \$667 civil money penalty (reduced from the RTB civil
money penalty of \$3,828).
3. Send the appropriate letter.

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

Attest:

November 19, 2018
Date

Dayna C. Brown
Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 20, 2018

Sean P. Redden, in official capacity as Treasurer
U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc.
120 Gardenville Parkway
West Seneca, NY 14224

C00368415
AF#: 3397

Dear Mr. Redden:

On June 20, 2018, the Federal Election Commission ("Commission") found reason to believe ("RTB") that U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 April Quarterly Report. By letter dated June 20, 2018, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$3,828 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On August 8, 2018, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated using an estimated level of activity, make a final determination that U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and based on the actual level of activity disclosed on the 2018 April Quarterly Report filed July 6, 2018 (\$22,758), assess a civil money penalty in the amount of \$667 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on October 2, 2018.

On November 19, 2018, the Commission adopted the Reviewing Officer's recommendation and made a final determination that U.A. Plumbers & Steamfitters Local No. 22 P.A.C., Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and based on the level of activity disclosed on the 2018 April Quarterly Report filed July 6, 2018 (\$22,758), assessed a civil money penalty in the amount of \$667 (reduced from the RTB civil money penalty of \$3,828). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the Final Determination Recommendation is attached.

On October 10, 2018, the Commission received your \$667 payment.

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 you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(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. 11 CFR § 111.38.

The confidentiality provisions at 52 U.S.C. § 30109(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 Rhannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Carole C. Hunter

Caroline Hunter
Chair

1-800-NW-NON