



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

December 13, 2022

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

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

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

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

SUBJECT: Reason To Believe Recommendation – 2022 12-Day Pre-General Report
(Authorized Committees) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2022 12-Day Pre-General Report in accordance with 52 U.S.C. § 30104(a). The 12-Day Pre-General Report was due on October 27, 2022. The list is comprised of authorized committees whose candidates sought election in the General Election held on November 8, 2022.

The committees listed on the attached RTB Circulation Report filed the report after the due date or failed to file the 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, in their official capacity, listed on the RTB Circulation Report, violated 52 U.S.C. § 30104(a) and make a

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

2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2022 PRE-GENERAL Election Sensitive 10/27/2022 AUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4473	C00781575	CHARLES GRAHAM FOR CONGRESS	CHARLES GRAHAM	JAMES B. HUNT	\$505,783	1		Not Filed	\$72,255 (est)	\$5,960
4474	C00792515	COMMITTEE TO ELECT KYLE SINCLAIR FOR CONGRESSIONAL DISTRICT 20	KYLE E. SINCLAIR	ROBERT CASTANEDA	\$297,936	2		Not Filed	\$74,484 (est)	\$7,152
4475	C00659367	HENRY MARTIN FOR CONGRESS	HENRY ROBERT MARTIN	AMBROSIA FERREE	\$241,249	0		Not Filed	\$30,156 (est)	\$2,093
4476	C00792812	IROGHAMA OMERE FOR TX	IROGHAMA C. OMERE	IROGHAMA C. OMERE	\$119,066	0		Not Filed	\$119,066 (est)	\$7,948
4477	C00807834	JHT FOR CONGRESS	JOSHUA HARRIS-TILL	SACHE PRIMEAUX SHAW	\$132,526	0	11/3/2022	7	\$30,964	\$744
4478	C00695866	KUMAR FOR CONGRESS	RISHI KUMAR	SURYA HOTH	\$1,146,167	0	11/2/2022	6	\$198,357	\$3,336
4479	C00784983	TAMIE WILSON FOR US	TAMARA WILSON	KYLE PIERCE	\$287,114	0	11/2/2022	6	\$40,898	\$706
4480	C00723734	TEXANS FOR MIKAL WILLIAMS	MIKAL D. WILLIAMS	MIMI MONTGOMERY	\$127,515	0		Not Filed	\$21,253 (est)	\$1,346

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Reason To Believe Recommendation –)	
2022 12-Day Pre-General Report)	
(Authorized Committees) for the)	
Administrative Fine Program:)	
CHARLES GRAHAM FOR CONGRESS,	)	AF# 4473
and HUNT, JAMES B as treasurer;)	
COMMITTEE TO ELECT KYLE	)	AF# 4474
SINCLAIR FOR CONGRESSIONAL)	
DISTRICT 20, and CASTANEDA,)	
ROBERT as treasurer;)	
HENRY MARTIN FOR CONGRESS, and	)	AF# 4475
FERREE, AMBROSIA as treasurer;)	
IROGHAMA OMERE FOR TX, and	)	AF# 4476
OMERE, IROGHAMA C as treasurer;)	
JHT FOR CONGRESS, and PRIMEAUX	)	AF# 4477
SHAW, SACHE as treasurer;)	
KUMAR FOR CONGRESS, and HOTH,	)	AF# 4478
SURYA as treasurer;)	
TAMIE WILSON FOR US, and PIERCE,	)	AF# 4479
KYLE as treasurer;)	
TEXANS FOR MIKAL WILLIAMS, and	)	AF# 4480
MONTGOMERY, MIMI as treasurer;)	

CERTIFICATION

I, Vicktoria J. Allen, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on December 14, 2022 the Commission took the following actions on the Reason To Believe Recommendation – 2022 12-Day Pre-General Report (Authorized Committees) for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated December 13, 2022, on the following committees:

AF#4473 Decided by a vote of 5-0 to: (1) find reason to believe that CHARLES GRAHAM FOR CONGRESS, and HUNT, JAMES B in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

AF#4474 Decided by a vote of 5-0 to: (1) find reason to believe that COMMITTEE TO ELECT KYLE SINCLAIR FOR CONGRESSIONAL DISTRICT 20, and CASTANEDA, ROBERT in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

AF#4475 Decided by a vote of 5-0 to: (1) find reason to believe that HENRY MARTIN FOR CONGRESS, and FERREE, AMBROSIA in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

AF#4476 Decided by a vote of 5-0 to: (1) find reason to believe that IROGHAMA OMERE FOR TX, and OMERE, IROGHAMA C in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

AF#4477 Decided by a vote of 5-0 to: (1) find reason to believe that JHT FOR CONGRESS, and PRIMEAUX SHAW, SACHE in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

AF#4478 Decided by a vote of 5-0 to: (1) find reason to believe that KUMAR FOR CONGRESS, and HOTH, SURYA in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

Federal Election Commission
Certification for Administrative Fines
December 14, 2022

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AF#4479 Decided by a vote of 5-0 to: (1) find reason to believe that TAMIE WILSON FOR US, and PIERCE, KYLE in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

AF#4480 Decided by a vote of 5-0 to: (1) find reason to believe that TEXANS FOR MIKAL WILLIAMS, and MONTGOMERY, MIMI in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

Attest:



December 14, 2022

Date

Vicktoria J Allen

Digitally signed by Vicktoria J

Allen

Date: 2022.12.14 19:20:15 -05'00'

Vicktoria J. Allen
Acting Deputy Secretary of the
Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AF

December 16, 2022

Surya Hotha, in official capacity as Treasurer
Kumar for Congress
2200 Laurelwood Rd.
Santa Clara, CA 95054

C00695866

AF#: 4478

Dear Surya Hotha,

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 for which the candidate is seeking election, or nomination for election. This report, covering the period October 1, 2022 through October 19, 2022, shall be filed no later than October 27, 2022. 52 U.S.C. § 30104(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on November 2, 2022, 6 days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On December 14, 2022, the FEC found that there is reason to believe ("RTB") that Kumar for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before October 27, 2022. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$3,336. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 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* <https://www.fec.gov/af/pay.shtml> 11 C.F.R. § 111.34. Your payment of \$3,336 is due within forty (40) days of the finding, or by January 23, 2023, and is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$198,357
Number of Days Late: 6
Number of Previous Civil Money Penalties Assessed: 0

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

KUMAR FOR CONGRESS

Page 2 of 5

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. 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 January 23, 2023. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

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

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 C.F.R. § 111.35(b). For a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

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 C.F.R. § 111.38.

KUMAR FOR CONGRESS

Page 3 of 5

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 Kumar for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, *et seq.* The 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 C.F.R. § 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 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.

KUMAR FOR CONGRESS

Page 4 of 5

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

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <https://www.fec.gov/af/pay.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. 1158) or (202) 694-1158.

On behalf of the Commission,



Allen J. Dickerson
Chairman

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$3,336 for the Pre-General 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. Please use the details below to complete the required fields. For additional payment options, 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.

COMMITTEE NAME: Kumar for Congress

FEC ID#: C00695866

KUMAR FOR CONGRESS

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AF#: 4478

PAYMENT DUE DATE: January 23, 2023

PAYMENT AMOUNT DUE: \$3,336

RECEIVED

By Office of the Commission Secretary at 11:47 am, Jul 18, 2023



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

July 18, 2023

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

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

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

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

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the
2022 12-Day Pre-General Report (Authorized Committees)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2022 12-Day Pre-General Report (Authorized Committees). The first list represents a committee that has paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

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

For your information, three (3) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. An overview of these cases has been provided below.

Charles Graham for Congress (AF 4473) filed a 2022 Year-End Report, which covered the 2022 12-Day Pre-General reporting period, after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The

committee disclosed total receipts and disbursements of \$12,478 (previously estimated to be \$72,255), thus the fine would be lowered from \$5,960 to \$1,682. The committee paid the civil money penalty assessed at RTB; we will therefore issue a refund for the difference (\$4,278).

Committee to Elect Kyle Sinclair for Congressional District 20 (AF 4474) filed the 2022 12-Day Pre-General Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$36,910 (previously estimated to be \$74,484), thus the fine would be lowered from \$7,152 to \$3,139.

Texans for Mikal Williams (AF 4480) filed the 2022 12-Day Pre-General Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$6,284 (previously estimated to be \$21,253), thus the fine would be lowered from \$1,346 to \$897.

An explanation of the civil money penalty calculation for one (1) committee has been provided below.

Charles Graham for Congress (AF 4473) was required to file a 2022 12-Day Pre-General Report (12G) covering October 1, 2022 through October 19, 2022. On February 1, 2023, the committee filed a 2022 Year-End Report (YE) covering October 5, 2022 through December 31, 2022 (88 days). We utilized a three-step method to arrive at the activity on which to base the 12G fine amount. First, we took the sum of all itemized receipts and disbursements that were disclosed during the required filing dates. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 17.05% (15 days (Committee's 12G Filing Period)/88 days (Committee's YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 12G.

For your information, four (4) committees disclosed a change in treasurer after the RTB finding. An overview of these cases has been provided below.

Charles Graham for Congress (AF 4473) filed an Amended Statement of Organization after the RTB finding designating Ian W. McDermott as Treasurer.

Committee to Elect Kyle Sinclair for Congressional District 20 (AF 4474) filed an Amended Statement of Organization after the RTB finding designating Thomas Datwyler as Treasurer.

Kumar for Congress (AF 4478) filed an Amended Statement of Organization after the RTB finding designating Gary Tasser as Treasurer.

Tamie Wilson for US (AF 4479) filed an Amended Statement of Organization after the RTB finding designating Cynthia Brown as Treasurer.

RAD Recommendation

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

Federal Election Commission
FD Circulation Report Fine Paid
2022 PRE-GENERAL Election Sensitive 10/27/2022 AUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
4473	CHARLES GRAHAM FOR CONGRESS	CHARLES GRAHAM	C00781575	IAN W. MCDERMOTT	02/01/2023	*Not Filed	\$12,478 (est)	1	12/14/2022	\$5,960	\$1,682	1/27/2023	**\$5,960

* The committee did not file their report prior to four (4) days before the general election; therefore, per 11 C.F.R. 111.43(e), the report is considered to be not filed.

** This committee disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty and will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding. This committee paid the civil money penalty assessed at RTB; therefore, we will issue a refund for the difference.

Federal Election Commission
FD Circulation Report Fine Not Paid
2022 PRE-GENERAL Election Sensitive 10/27/2022 AUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
4474	COMMITTEE TO ELECT KYLE SINCLAIR FOR CONGRESSIONAL DISTRICT 20	KYLE E. SINCLAIR	C00792515	THOMAS DATWYLER	01/23/2023	*Not Filed	\$36,910	2	12/14/2022	\$7,152	216	\$3,139
4475	HENRY MARTIN FOR CONGRESS	HENRY ROBERT MARTIN	C00659367	AMBROSIA FERREE	12/19/2022	*Not Filed	\$25,624	0	12/14/2022	\$2,093	216	\$2,093
4476	IROGHAMA OMERE FOR TX	IROGHAMA C. OMERE	C00792812	IROGHAMA C. OMERE		Not Filed	\$119,066 (est)	0	12/14/2022	\$7,948	216	\$7,948
4477	JHT FOR CONGRESS	JOSHUA HARRIS-TILL	C00807834	SACHE PRIMEAUX SHAW	11/03/2022	7	\$30,964	0	12/14/2022	\$744	216	\$744
4478	KUMAR FOR CONGRESS	RISHI KUMAR	C00695866	GARY TASSER	11/02/2022	6	\$288,958	0	12/14/2022	\$3,336	216	\$3,336
4479	TAMIE WILSON FOR US	TAMARA WILSON	C00784983	CYNTHIA BROWN	11/02/2022	6	\$40,898	0	12/14/2022	\$706	216	\$706
4480	TEXANS FOR MIKAL WILLIAMS	MIKAL D. WILLIAMS	C00723734	MIMI MONTGOMERY	02/22/2023	*Not Filed	\$6,284	0	12/14/2022	\$1,346	216	\$897

* The committee did not file their report prior to four (4) days before the general election; therefore, per 11 C.F.R. 111.43(e), the report is considered to be not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Administrative Fine Program – Final)	
Determination Recommendation for the)	
2022 12-Day Pre-General Report)	
(Authorized Committees):)	
CHARLES GRAHAM FOR CONGRESS,	)	AF# 4473
and MCDERMOTT, IAN W as treasurer;)	
COMMITTEE TO ELECT KYLE	)	AF# 4474
SINCLAIR FOR CONGRESSIONAL)	
DISTRICT 20, and DATWYLER,)	
THOMAS as treasurer;)	
HENRY MARTIN FOR CONGRESS, and	)	AF# 4475
FERREE, AMBROSIA as treasurer;)	
IROGHAMA OMERE FOR TX, and	)	AF# 4476
OMERE, IROGHAMA C as treasurer;)	
JHT FOR CONGRESS, and PRIMEAUX	)	AF# 4477
SHAW, SACHE as treasurer;)	
KUMAR FOR CONGRESS, and TASSER,	)	AF# 4478
GARY as treasurer;)	
TAMIE WILSON FOR US, and BROWN,	)	AF# 4479
CYNTHIA as treasurer;)	
TEXANS FOR MIKAL WILLIAMS, and	)	AF# 4480
MONTGOMERY, MIMI as treasurer;)	

CERTIFICATION

I, Laura E. Sinram, Secretary and Clerk of the Federal Election Commission, do hereby certify that on July 20, 2023 the Commission took the following actions on the Administrative Fine Program – Final Determination Recommendation for the 2022 12-Day Pre-General Report (Authorized Committees), as recommended in the Reports Analysis Division's Memorandum dated July 18, 2023, on the following committees:

Federal Election Commission
Certification for Administrative Fines
July 20, 2023

Page 2

AF#4473 Decided by a vote of 5-0 to: (1) make a final determination that CHARLES GRAHAM FOR CONGRESS, and MCDERMOTT, IAN W in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.

AF#4474 Decided by a vote of 5-0 to: (1) make a final determination that COMMITTEE TO ELECT KYLE SINCLAIR FOR CONGRESSIONAL DISTRICT 20, and DATWYLER, THOMAS in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.

AF#4475 Decided by a vote of 5-0 to: (1) make a final determination that HENRY MARTIN FOR CONGRESS, and FERREE, AMBROSIA in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.

AF#4476 Decided by a vote of 5-0 to: (1) make a final determination that IROGHAMA OMERE FOR TX, and OMERE, IROGHAMA C in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.

AF#4477 Decided by a vote of 5-0 to: (1) make a final determination that JHT FOR CONGRESS, and PRIMEAUX SHAW, SACHE in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.

AF#4478 Decided by a vote of 5-0 to: (1) make a final determination that KUMAR FOR CONGRESS, and TASSER, GARY in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.

AF#4479 Decided by a vote of 5-0 to: (1) make a final determination that TAMIE WILSON FOR US, and BROWN, CYNTHIA in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2)

Federal Election Commission
Certification for Administrative Fines
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send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.

AF#4480 Decided by a vote of 5-0 to: (1) make a final determination that TEXANS FOR MIKAL WILLIAMS, and MONTGOMERY, MIMI in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.



Attest:

Laura e
Sinram

Digitally signed by Laura e Sinram
Date: 2023.07.21 09:03:52 -04'00'

Laura E. Sinram
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AF

July 24, 2023

Gary Tasser, in official capacity as Treasurer
Kumar for Congress
2200 Laurelwood Rd.,
Santa Clara, CA 95054

C00695866

AF#: 4478
FINE: \$3,336

Dear Gary Tasser,

On December 14, 2022, the Federal Election Commission (the "Commission" or "FEC") found reason to believe ("RTB") that Kumar for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2022 Pre-General Report. By letter dated December 16, 2022, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be \$3,336, in accordance with the schedule of penalties at 11 C.F.R. § 111.43. Within forty (40) days of the Commission's RTB finding, you, in your official capacity as treasurer, were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. Since that time, the amount of the level of activity has been changed to reflect the actual level of activity of the Pre-General Report. The Commission made a final determination on July 20, 2023 that Kumar for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$3,336, in accordance with 11 C.F.R. § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$288,958
Number of Days Late: 6
Number of Previous Civil Money Penalties Assessed: 0

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

KUMAR FOR CONGRESS

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1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you must submit a written petition, within thirty (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). If you did not timely raise a factual argument in a challenge to the Commission's RTB finding, your right to present such an argument in an appeal to the U.S. District Court under 52 U.S.C. § 30109 shall be deemed waived. 11 C.F.R. § 111.38.

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 thirty (30) days and do not appeal the Commission's final determination to the U.S. District Court (see above), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Treasury will contact you to request payment within five (5) days of receiving the debt. Treasury currently charges a fee of 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% 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. 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 decide to pay the civil money penalty, please follow the payment instructions below. You should make payment within thirty (30) days of receipt of this letter.

KUMAR FOR CONGRESS

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

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

Partial Payments

If you make a payment in an amount less than the 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.

Settlement Offers

Any offer to settle or compromise a debt owed to the Commission will be rejected. This includes 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. 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) 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 thirty (30) days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Ben Holly at Federal Election Commission, 1050 First St., NE, Washington, DC 20002, or our toll-free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read 'Dara Lindenbaum', with a long horizontal flourish extending to the right.

Dara Lindenbaum
Chair

KUMAR FOR CONGRESS

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