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BEFORE THE UNITED STATES
FEDERAL ELECTION COMMISSION

NOV 28 AM 7:55

Tom Casperson
4305 U.S. 2 & 41
Escanaba, MI 49829,

OFFICE OF GENERAL
COUNSEL

Casperson for Congress
P.O. Box 499
Escanaba, MI 49829, and

MUR No. 7114

Judi Skradski, Treasurer
P.O. Box 499
Escanaba, MI 49829.

COMPLAINT

This Complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) against Tom Casperson, Casperson for Congress, and Judi Skradski as Treasurer (collectively, "Respondents") for using Casperson's nonfederal campaign account to pay for federal campaign expenses in violation of the Federal Election Campaign Act of 1971, as amended (the "Act") and Commission rules, as described herein.

I. FACTUAL BACKGROUND

Tom Casperson is a State Senator in Michigan Senate District 38.¹ On November 9, 2015 he announced that he would be running for Congress in Michigan's First Congressional District.² He filed a Statement of Candidacy with the Commission on November 19, 2015.

Michigan's 38th Senate District is located in the western portion of Michigan's Upper Peninsula.³ Michigan's First Congressional District encompasses the entire Upper Peninsula as well as the northern portion of Michigan's Lower Peninsula.⁴ To drive from the Lower

¹ See State Senator Tom Casperson, at <http://www.senatortomcasperson.com/> (last visited July 19, 2016).

² Brittany Denny, *State Senator Tom Casperson announces run for U.S. House of Representatives*, UP Matters (Nov. 9, 2015), available at <http://www.upmatters.com/news-upmatters/state-senator-tom-casperson-announces-run-for-us-house-of-representatives> (last visited July 19, 2016).

³ A map of the 38th Senate District is attached to the Complaint as Exhibit A.

⁴ A map of the First Congressional District is attached to the Complaint as Exhibit B.

Peninsula to the Upper Peninsula, one must cross the Mackinac Bridge, which connects the cities of Mackinaw City on the Lower Peninsula to St. Ignace in the eastern portion of the Upper Peninsula. Both cities fall outside of the 38th Senate District.

According to campaign finance records filed with the Michigan Secretary of State, after Casperson announced his federal candidacy, and while he was campaigning for Congress, his state senate campaign committee (the "State Committee") raised over \$10,000 from state PACs.⁵ Casperson then proceeded to use these funds to make expenditures to advance his Congressional election.

According to press reports, Casperson announced his candidacy in Traverse City, located on the Lower Peninsula, and spent the next week making nearly a dozen stops across the district "to meet with voters and discuss his intention to bring a dose of common sense to Congress."⁶ Casperson appears to have used State Committee funds to subsidize this tour, using the State Committee to pay for hotels in Sault Ste. Marie, Mackinaw City, St. Ignace, and Traverse City, all of which are located in the First Congressional District but outside of the 38th State Senate District.⁷ Specifically:

- On the afternoon of November 9, 2015, Casperson announced his candidacy at Northwest Michigan College in Traverse City.⁸ The next morning, he had breakfast with voters in Manistee, which is approximately 60 miles south of Traverse City on the Lower Peninsula – and 60 miles further from the Mackinac Bridge and over five-and-a-half-hours away from Escanaba.⁹ According to the State Committee's reports, during the same reporting period, Casperson used \$274.16 in State Committee funds to pay for lodging at the Comfort Inn in Traverse City, which is less than a mile from the Northwest Michigan College campus.¹⁰ According to Google Maps, it would have taken almost 5 hours to drive the nearly 248 miles from Traverse City to Escanaba.

⁵ See Tom Casperson for State Senate 2015 Annual Report (filed Feb. 1, 2016), *available at* http://mibocfr.nictusa.com/cgi-bin/cfr/can_search.cgi. A chart listing those contributions is attached as Exhibit C.

⁶ *It's official: Casperson to run for U.S. House of Representatives*, UP Matters (Nov. 9, 2015), *available at* <http://www.upmatters.com/news-upmatters/its-official-casperson-to-run-for-us-house-of-representatives> (last visited July 19, 2016).

⁷ See Tom Casperson for State Senate 2015 Annual Report (filed Feb. 1, 2016). A chart listing these expenditures is attached as Exhibit D.

⁸ *It's official: Casperson to run for U.S. House of Representatives*, UP Matters (Nov. 9, 2015).

⁹ See Tom Casperson Facebook Page (Nov. 10, 2015). A copy of Casperson's Facebook Post is attached as Exhibit E. All estimations of driving times and distances provided herein are based on information as provided by Google Maps, and do not account for rest stops.

¹⁰ See Tom Casperson for State Senate 2015 Annual Report (filed Feb. 1, 2016). Though the report identifies the disbursement as being made on November 26, 2015, this is the date that the credit card was paid, not the date that the original disbursement was made.

- 100034407
- On November 12, Casperson began his campaigning in Alpena on the Lower Peninsula, 241 miles and almost 4 and a half hours from Escanaba, and ended his day in Sault Ste. Marie, at the far eastern edge of the Upper Peninsula, attending the United Way Chili Challenge at Lake Superior State University.¹¹ On its year-end report, the State Committee reported spending \$179.20 for lodging at the Sault Ste. Marie Holiday Inn Express, which is located two doors away from the Chili Challenge site.¹² Sault Ste. Marie is 173 miles and more than a three-hour drive from Escanaba
 - After announcing his federal candidacy, Casperson used the State Committee to pay \$83.25 for lodging at the Hamilton Inn in Mackinaw City on the Lower Peninsula.¹³ Mackinaw City is almost 150 miles and a 2-hour-and-forty-minute drive from Escanaba, and is 95 miles and an hour-and-forty-minute drive from the easternmost edge of the 38th Senate District.
 - After announcing his federal candidacy, Casperson used the State Committee to pay \$84.00 for lodging at Breakers Resort in St. Ignace, in the southeastern Upper Peninsula.¹⁴ St. Ignace is 139 miles and a two-and-a-half-hour drive from Escanaba, and is 86 miles and an hour-and-a-half drive from the easternmost edge of the 38th Senate District.

By his own admission, during this period, Casperson only drove across the Mackinac Bridge 4 times, demonstrating that, at most, he returned home to Escanaba from the Lower Peninsula only once.¹⁵ Casperson for Congress did not report any disbursements for lodging on its 2015 Year-End Report filed with the Commission.¹⁶

¹¹ See Tom Casperson Facebook Page (Nov. 12, 2015). A copy of Casperson's Facebook Post is attached as Exhibit F.

¹² See Tom Casperson for State Senate 2015 Annual Report (filed Feb. 1, 2016); United Way of the Eastern Upper Peninsula Chili Cook-Off Facebook Page, available at https://www.facebook.com/events/759320224194370/?active_tab=highlights (last visited July 19, 2016).

¹³ Tom Casperson for State Senate 2015 Annual Report (filed Feb. 1, 2016).

¹⁴ *Id.*

¹⁵ See Tom Casperson Facebook Page (Nov. 17, 2015). A copy of Casperson's Facebook Post is attached as Exhibit G.

¹⁶ See Casperson for Congress, 2015 Year End Report (filed Jan. 30, 2016), available at www.fec.gov.

II. LEGAL BACKGROUND AND ANALYSIS

The Federal Election Campaign Act, as amended by the Bipartisan Campaign Reform Act of 2002, prohibits federal candidates and officeholders, and entities they establish, maintain, finance, or control, from soliciting, directing, transferring, or spending funds in connection with an election that are outside the federal source restrictions and limits.¹⁷ Moreover, Commission rules prohibit candidates from transferring nonfederal campaign funds to a federal committee in order to ensure that federal elections are financed only with federally permissible funds.¹⁸ Thus, transfers of funds or assets from a candidate's nonfederal campaign committee to his or her principal campaign committee are prohibited.¹⁹

Respondents have violated these provisions by repeatedly using nonfederal funds to finance his federal campaign's announcement tour.²⁰ The State Committee made multiple disbursements for lodging in cities that were part of his announcement tour, while Casperson for Congress did not show any disbursements for lodging during this period. Casperson had at least two verifiable campaign stops that were less than a mile from the hotels listed on the State Committee's report. Those stops were hundreds of miles, and hours away, from his Senate District.

For example, in the case of his Traverse City stop, he ended his campaigning on November 9 a five-hour drive from home, and started his campaigning on November 10 a five-and-a-half-hour drive from home. He plainly did not drive 11 hours from the Lower Peninsula to Escanaba to spend a few minutes in his own bed. In another case, Casperson ended a long day of campaigning more than 3 hours from home but two doors away from a hotel to which the State Committee made disbursements. And by his own admission, he only crossed the Mackinac Bridge four times during his announcement tour – meaning that he traveled from the Upper Peninsula to the Lower Peninsula only twice. Because Casperson did not return home to Escanaba every night, and Casperson for Congress did not pay for any lodging, the only conceivable explanation is that the State Committee paid for his lodging, in clear violation of the law.

¹⁷ 52 U.S.C. § 30125(e)(1); 11 C.F.R. §§ 300.61, 300.62.

¹⁸ 11 C.F.R. § 110.3(d).

¹⁹ *Id.*; *id.* § 102.6(a)(iv).

²⁰ Under state law, PACs may accept contributions without limit, and from federally prohibited sources, such as federal contractors. See Michigan Secretary of State, PAC Manual, available at <http://inertsplus.com/mertsuserguide/index.php?n=MANUALS:PACManual>. Thus, the \$10,015 in PAC contributions that Casperson raised after declaring his federal candidacy may have contained federally prohibited funds.

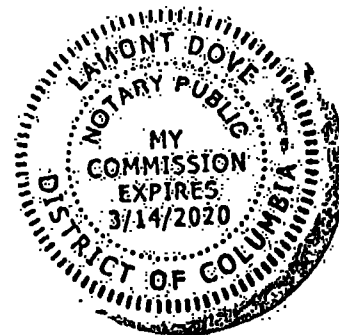
III. CONCLUSION

As described above, there is compelling evidence that Respondents repeatedly violated the Act and Commission rules by using nonfederal funds to pay for Casperson's federal campaign travel. The Commission should find reason to believe that Respondents have violated the Act, require the Recipient Respondents to refund or disgorge the full amount of the prohibited transfers received, impose the maximum civil penalty permitted by law, enjoin respondents from any and all future violations, and impose such additional remedies as it finds necessary and appropriate.

Respectfully Submitted,

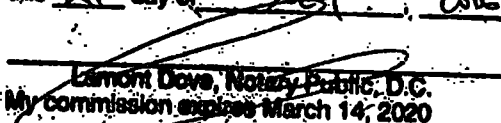


End Citizens United by,
Tiffany Muller
P.O. Box 66005
Washington, DC 20035



Sworn to and subscribed before me this ^{21st} day of July, 2016


Notary Public

District of Columbia: 88
Subscribed and Sworn to before me
this 21st day of July, 2016.

Lamont Dove, Notary Public, D.C.
My commission expires March 14, 2020.

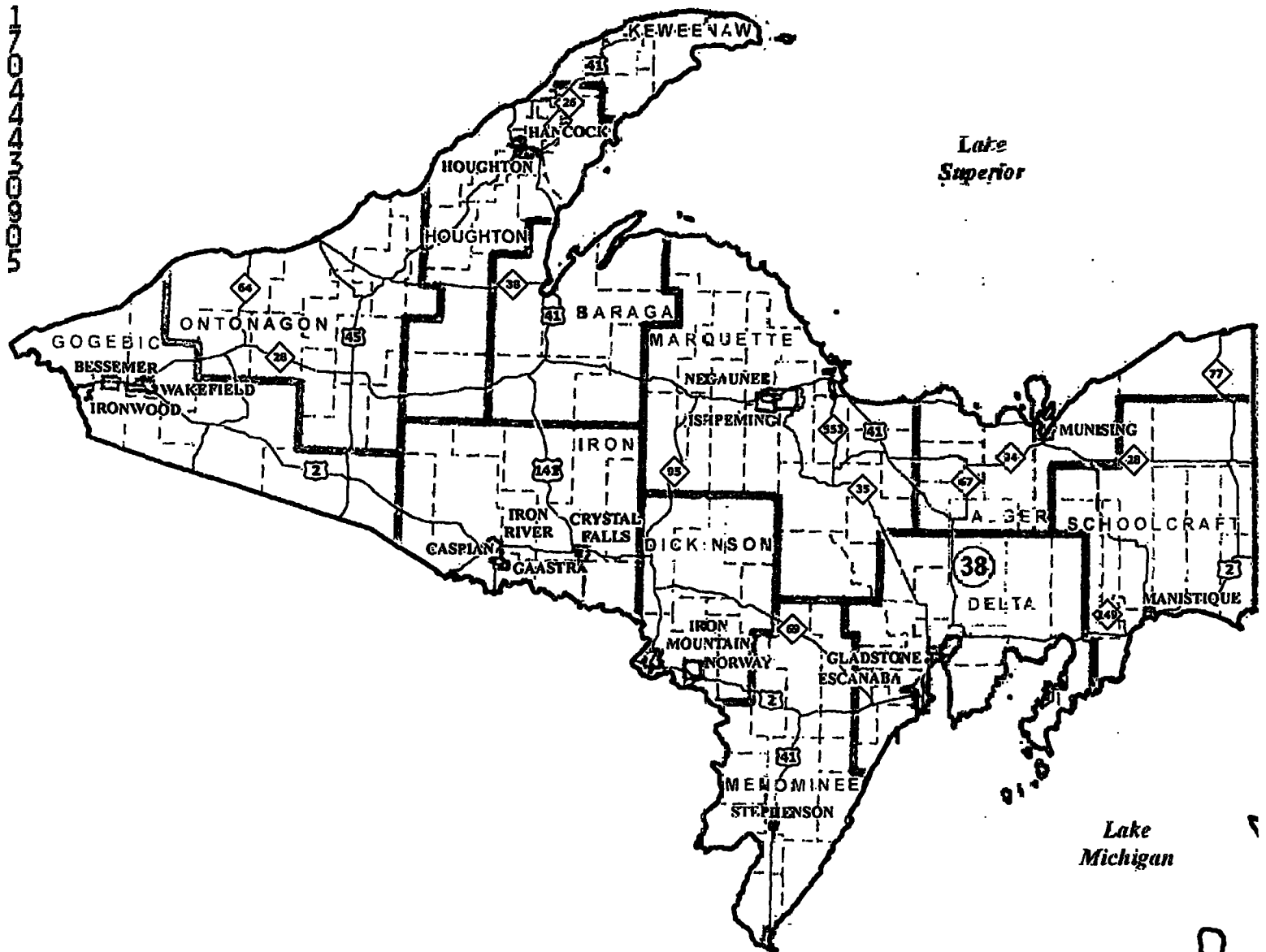
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Exhibit A

MICHIGAN SENATE DISTRICT 38

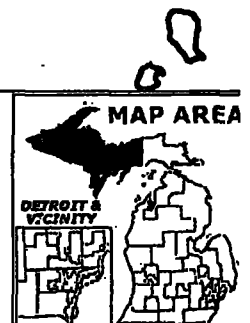
2011 Apportionment Plan

0 10 20 Miles



17044444001

Legend			
	Senate District		County
	City		Township
			Freeway
			Highway



1704430066

Alger County
Baraga County
Delta County
Dickinson County
Gogebic County
Houghton County
Iron County
Keweenaw County
Marquette County
Menominee County
Ontonagon County
Schoolcraft County

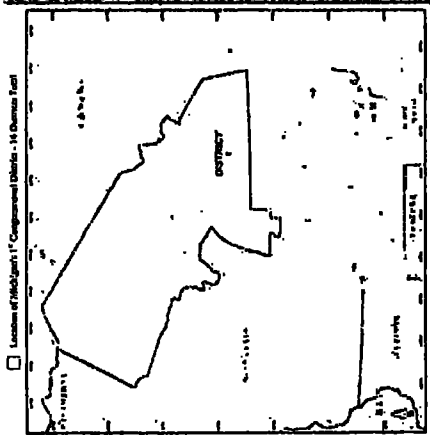
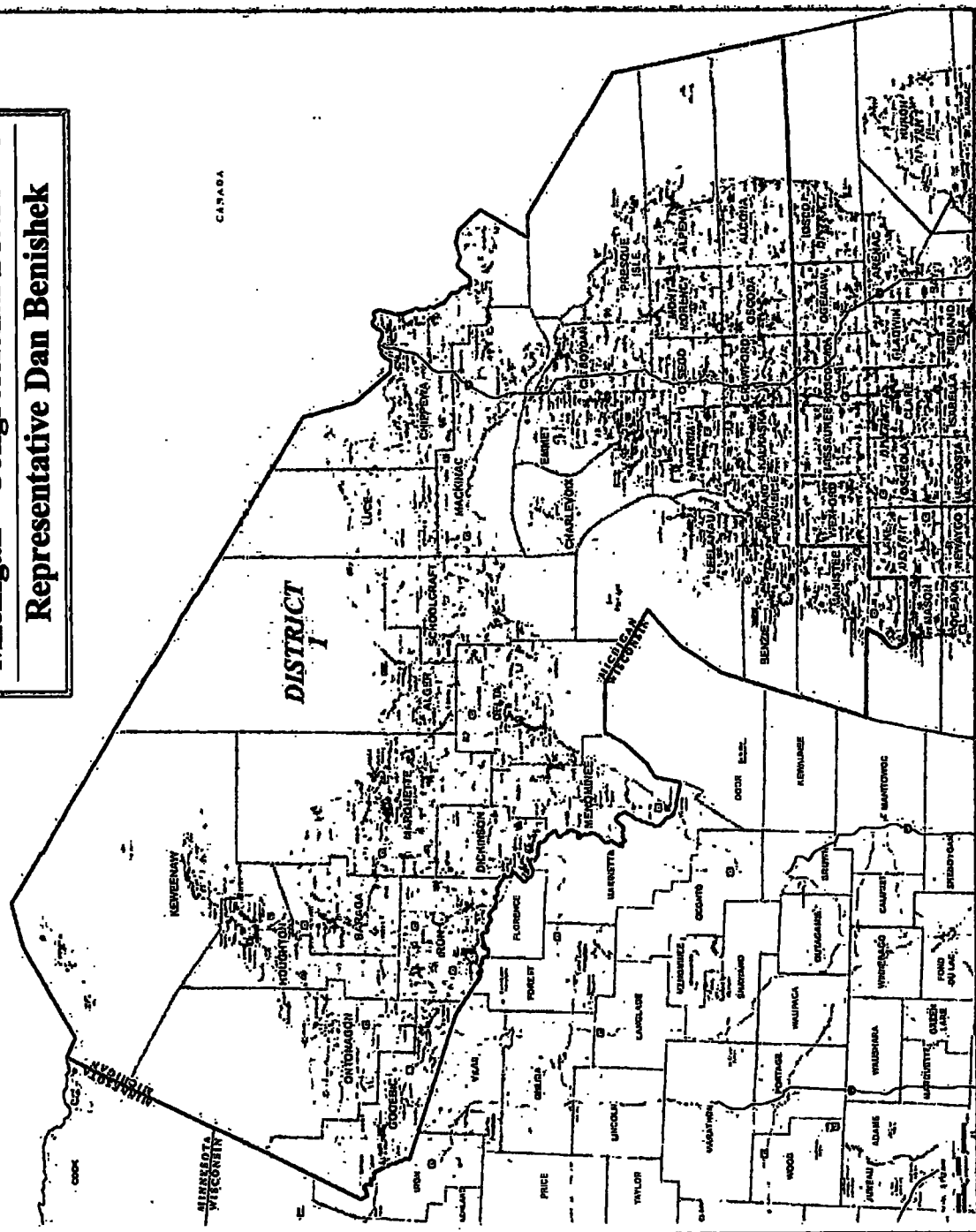


Published pursuant to Public Act 129 of 2011
Produced by the Michigan Bureau of Elections
Michigan Department of State
January 2012

1-NOV-2000

Exhibit B

113th Congress of the United States
Michigan - Congressional District 1
Representative Dan Benishek



Congressional District 1 Profile

Change in Number of People by Census Tract
 2000 to 2010

Change in Number of People by Census Tract 2000 to 2010	Population	Area
100,000+	100,000+	100,000+
50,000+	50,000+	50,000+
25,000+	25,000+	25,000+
10,000+	10,000+	10,000+
5,000+	5,000+	5,000+
2,500+	2,500+	2,500+
1,000+	1,000+	1,000+
500+	500+	500+
250+	250+	250+
100+	100+	100+
50+	50+	50+
25+	25+	25+
10+	10+	10+
5+	5+	5+
2+	2+	2+
1+	1+	1+
0	0	0



Map Legend

	Congressional District 1
	County Boundary
	State Boundary
	Water Boundary
	Major Road
	Minor Road
	Waterway
	Coastline
	City
	Town
	Village
	Unincorporated Community
	Post Office
	County Seat
	State Capitol
	State Prison
	State Hospital
	State University
	State College
	State High School
	State Middle School
	State Elementary School
	State Kindergarten
	State Preschool
	State Child Care
	State Early Childhood Education
	State Adult Education
	State Vocational Education
	State Technical Education
	State Community College
	State University
	State College
	State High School
	State Middle School
	State Elementary School
	State Kindergarten
	State Preschool
	State Child Care
	State Early Childhood Education
	State Adult Education
	State Vocational Education
	State Technical Education
	State Community College

United States
Census
 Bureau

1-NOV-2000 10:00:00

Exhibit C

Donor	City	State	Date	Amount
Blue Cross Blue Shield Of MI	Lansing	MI	11/16/2015	\$500
Michigan Assoc of Health Plans PAC	Lansing	MI	11/16/2015	\$500
GM PAC	Detroit	MI	11/16/2015	\$500
DTE Energy Company PAC	Detroit	MI	11/16/2015	\$500
CMS Energy Employees	Jackson	MI	11/16/2015	\$500
ITC Holdings Corp. PAC - State	Lansing	MI	11/16/2015	\$250
Brooke Hldngs Inc& Jackson Ntl Life	Lansing	MI	11/16/2015	\$250
Ford Motor Company MI PAC	Dearborn	MI	11/16/2015	\$250
MAIA- PAC	Lansing	MI	11/16/2015	\$250
MI Association Of Timberman PAC	Newberry	MI	11/16/2015	\$250
Michigan Farm Bureau	Lansing	MI	11/16/2015	\$250
Realtors PAC of MI	Lansing	MI	11/16/2015	\$250
Telecommunications Assoc PAC	Lansing	MI	11/16/2015	\$250
MI Townships Assoc PAC	Lansing	MI	11/16/2015	\$250
MIBank PAC-State	Lansing	MI	11/16/2015	\$250
Auto Dealers of MI PAC	Lansing	MI	11/16/2015	\$250
MI Association of Counties PAC	Lansing	MI	11/16/2015	\$250
MI Action Comm For Rural Elect	Okemos	MI	11/16/2015	\$250
Cleveland-Cliffs Iron CO PAC	Ishpeming	MI	11/27/2015	\$1,000
MI Petroleum Jobbers- PAC	Lansing	MI	11/27/2015	\$500
MI Credit Union League	Plymouth	MI	11/27/2015	\$500
MHSA PAC	Lansing	MI	11/27/2015	\$250
I.B.E.W. - C.O.P.E.	Washington	DC	12/16/2015	\$250
MI Assoc of CPA	Troy	MI	12/28/2015	\$1,000
Dykema Gossett St.-PAC	Lansing	MI	12/28/2015	\$500
MI Propane Gas Assoc PAC	Lansing	MI	12/28/2015	\$250
TOTAL				\$10,000

1700014401

Exhibit D

In-State District	In Federal District	Payee	Address	City/State	Credit Card Statement Appearance	Amount
No	Yes	Holiday Inn Express	1171 Riverview Way	Sault Ste Marie, MI	11/26/2015	\$179.20
No	Yes	Hamilton Inn	701 S Huron	Mackinaw City, MI	11/26/2015	\$83.25
No	Yes	Breakers Resort	927 N State St	Saint Ignace, MI	11/26/2015	\$84.00
No	Yes	Comfort Inn Traverse City	460 Munson Ave	Traverse City, MI	11/26/2015	\$274.16
TOTAL						\$620.61

17044430012

170444M00-11

Exhibit E

17044430014



Tom Casperson

November 10, 2015 · 🌐

Day two of the Casperson for Congress Campaign announcement tour starts out in Manistee for breakfast conversations with local residents.



👍 Like

💬 Comment

➦ Share

51-66444-671

Exhibit F



Tom Casperson added 3 new photos.

November 12, 2015 · 🌐

Great time for all in attendance at the United Way Chili Challenge in The Soo tonight.



👍 Like

💬 Comment

➦ Share

17044430916

4-NOV-2017

Exhibit G



Tom Casperson

November 17, 2015 · 🌐

What a week it's been! Since announcing his congressional bid last Monday, Tom and his campaign have:

Crossed the Bridge 4 times, traveling over 1,400 miles;

Made 23 individual stops personally meeting hundreds of residents;

Appeared on 15 different radio programs and 8 different TV programs;

Generated more than 40 online news stories;

Presented more than two-dozen social media updates; and

Hosted 2 tele-town halls attended by more than 5,000 northern Michigan residents.

And Tom is just getting started. [Click here](#) and become a supporter today!



Tom Casperson for U.S. Congress

Tom Casperson was born and raised here in Northern Michigan and spent 27 years working in the log trucking business his grandfather started. For twelve of those years, he ran the business and spent time on the Board of Michigan...

TOMCASPERSON.COM | BY FLOLINE MEDIA LLC

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