



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

November 20, 2017

BARBARA P. LAZARIS, TREASURER  
SEAL PAC SUPPORTING ELECTING AMERICAN  
LEADERS PAC  
50 CONGRESS STREET, SUITE 318 C/O BARBARA P. LAZARIS  
BOSTON, MA 02109

**Response Due Date**  
**12/26/2017**

IDENTIFICATION NUMBER: C00570226

REFERENCE: MID-YEAR REPORT (01/01/2017 - 06/30/2017)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in enforcement action.** Additional information is needed for the following 4 item(s):

1. The beginning cash balance of this report does not equal the ending balance of your Amended Year End Report (11/29/16 – 12/31/16), received 4/27/17. Please correct this discrepancy and amend all subsequent report(s) that may be affected by the correction. (52 U.S.C. §30104(b) (formerly 2 U.S.C. § 434(b) (1)))
2. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (initials for first or last name are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

The following employer name and occupation entries appear on your report and are not considered acceptable. : "none / none"

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC

Page 2 of 5

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution,
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

**3.** Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. Please be advised that 52 U.S.C. §30116(f) (formerly 2 U.S.C. §441a(f)) and 11 CFR §§110.1(d) and 110.2(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint

SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC

Page 3 of 5

account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

**4.** Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. Please be advised that 52 U.S.C. §30116(a) (formerly 2 U.S.C. §441a(a)) prohibits a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC

Page 4 of 5

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount.

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. (11 CFR §110.1(b))

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration. (11 CFR §103.3(b)(1) and (3))

- Schedule B discloses an expenditure(s) for "Mailing", "Media Consulting", "Postage", "Direct mail", "Direct mail Fees", and "Direct mail postage". If a portion or all of these expenditures were for public communications (as defined by 11 CFR §100.26) containing express advocacy as defined under 11 CFR §100.22, this would constitute an in-kind contribution or an independent expenditure and should be properly disclosed on a Schedule B or E supporting Line 23 or 24 as appropriate. Public communications that refer to a clearly identified Federal candidate, but that do not expressly advocate the election or defeat of that candidate should be reported on Schedule B for Line 21(b) of the Detailed Summary Page. Please clarify whether this activity contained express advocacy and amend your report to properly disclose this activity, if necessary.

- For your information and consideration when preparing future filings, Schedule B supporting Line 23 of your report discloses contributions to federal candidates for which no election designation has been provided. Commission regulations encourage committees making contributions to federal candidates to designate their contributions in writing for a particular election. Contributions not designated for a particular election will be attributed to the next election for Federal office in which the candidate is participating. (11 CFR §§ 110.1(b)(2) and 110.2(b)(2)) For future filings, please include election designation(s) if applicable.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will

SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC

Page 5 of 5

be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For additional information about the report review process or specific filing information for your committee type, please visit the Reports Analysis Division's Frequently Asked Questions on the FEC website. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1139.

Sincerely,



Romy Adame-Wilson  
Senior Campaign Finance Analyst  
Reports Analysis Division

**Impermissible, Excessive, and Prohibited Contributions****SEAL PAC SUPPORTING ELECTING AMERICAN LEADERS PAC (C00570226)****Excessive Contributions from Individuals**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Report</b>
ROSCHE, MARIE	4/6/17	\$350.00	2017 Mid-Year
ROSCHE, MARIE	4/17/17	\$2,500.00	2017 Mid-Year
ROSCHE, MARIE	4/19/17	\$300.00	2017 Mid-Year
ROSCHE, MARIE	5/1/17	\$250.00	2017 Mid-Year
ROSCHE, MARIE	5/4/17	\$2,000.00	2017 Mid-Year
ROSCHE, MARIE	5/8/17	\$1,000.00	2017 Mid-Year
ROSCHE, MARIE	5/8/17	\$1,000.00	2017 Mid-Year
ROSCHE, MARIE	5/8/17	\$1,000.00	2017 Mid-Year
ROSCHE, MARIE	5/15/17	\$2,500.00	2017 Mid-Year
Sugden MD, Richard	1/1/17	\$1,000.00	2017 Mid-Year
Sugden MD, Richard	2/1/17	\$250.00	2017 Mid-Year
Sugden MD, Richard	2/15/17	\$50.00	2017 Mid-Year
Sugden MD, Richard	3/1/17	\$1,000.00	2017 Mid-Year
Sugden MD, Richard	3/1/17	\$5.00	2017 Mid-Year
Sugden MD, Richard	4/1/17	\$1,000.00	2017 Mid-Year
Sugden, Richard	4/6/17	\$1,000.00	2017 Mid-Year
Sugden MD, Richard	5/1/17	\$1,000.00	2017 Mid-Year
Sugden MD, Richard	6/1/17	\$1,000.00	2017 Mid-Year

**Excessive Contributions to a Committee/Candidate Committee**

<b>Recipient Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>	<b>Report</b>
JIM BANKS FOR CONGRESS	6/29/17	\$10,000.00	*P2018	2017 Mid-Year
SCOTT TAYLOR FOR CONGRESS	6/29/17	\$10,000.00	*P2018	2017 Mid-Year

\*Schedule B discloses contributions to federal candidates for which no election designation has been provided. Contributions not designated for a particular election will be attributed to the next election for Federal office in which the candidate is participating; therefore, this contribution has been attributed to the next scheduled Federal election for this candidate, the Primary 2018 (11 CFR §§ 110.2(b)(ii)).