



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA FACSIMILE (202) 772-0927 AND FIRST CLASS MAIL

James E. Tyrrell III, Esq.
Clark Hill PLC
601 Pennsylvania Avenue, N.W.
Washington, DC 20004

AUG 28 2014

RE: MUR 6767
Central Valley Independent PAC

Dear Mr. Tyrrell:

On, August 25, 2014 the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. §§ 434(b) and (g)(1)(B) of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). Information derived in connection with any conciliation attempt will not become public without the written consent of your client and the Commission. See 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,


Camilla Jackson Jones
Attorney

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of

MUR 6767

Central Valley Independent PAC and
Ross Allen, in his official capacity
as treasurer

CONCILIATION AGREEMENT

This matter was initiated pursuant to information ascertained by the Federal Election Commission (the "Commission") in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Central Valley Independent PAC and Ross Allen, in his official capacity as treasurer ("Respondent" or "Committee") violated 2 U.S.C. §§ 434(b) and (g)(1)(B) of the Federal Election Campaign Act of 1971, as amended, (the "Act").

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Committee is an independent expenditure-only committee that is not affiliated with any candidate or elected official. Ross Allen is the Committee's treasurer of record.

2. The Act requires committee treasurers to file reports of disbursements in accordance with the provisions of 2 U.S.C. § 434, 2 U.S.C. § 434(b)(4); 11 C.F.R. § 104.3(b). The Act defines "independent expenditure" as an expenditure by a person expressly advocating the election or defeat of a clearly identified federal candidate that is not made in concert or cooperation with or at the request or suggestion of such candidate, the candidate's authorized political committee, or their agents, or a political party committee or its agents. 2 U.S.C. § 431(17). Every political committee that makes independent expenditures must report those expenditures in its regularly scheduled disclosure reports in accordance with 11 C.F.R. § 104.3(b)(3)(vii). 11 C.F.R. § 104.4(a). Such a political committee must disclose on Schedule E the name of a person who receives any disbursement during the reporting period in an aggregate amount or value in excess of \$200 within the calendar year in connection with an independent expenditure by the reporting committee. The report also must disclose the date, amount, and purpose of any such independent expenditure and include a statement that indicates whether such independent expenditure is in support of or in opposition to a candidate, as well as the name and office sought by such candidate. 2 U.S.C. § 434(b)(6)(B)(iii); 11 C.F.R. §§ 104.3(b)(3)(vii), 104.4(a).

3. A political committee that makes or contracts to make independent expenditures aggregating \$1,000 or more in connection with a given election after the 20th day, but more than 24 hours before the date of an election, is required to file a report describing the expenditures within 24 hours. 2 U.S.C. § 434(g)(1)(A); 11 C.F.R. § 104.4(c). These 24-Hour

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timely disclosed the independent expenditures made on October 23, 24 and 26, 2012. See 2012 30 Day Post-General Report at 8-9 (Dec. 6, 2012)

VI. Respondent violated 2 U.S.C. §§ 434(b) and (g)(1)(B) by failing to timely file one 24 Hour Report to support \$166,391 in independent expenditures made on October 26, 2012.

VII. 1. In ordinary circumstances, the Commission would seek a substantially higher civil penalty based on the violations outlined in this agreement. However, the Commission is taking into account the fact that the Committee represents that it intends to terminate, has limited funds and no ability to raise additional funds. Respondent will pay a civil penalty to the Commission in the amount of Four Thousand Eight Hundred dollars (\$4,800), pursuant to 2 U.S.C. § 437g(a)(5)(A). If evidence is uncovered indicating that Respondent's financial condition is not as stated, a total civil penalty of Seventeen Thousand Dollars (\$17,000) shall be due immediately, pursuant to 2 U.S.C. § 437g(a)(5)(A).

2. Respondent will cease and desist in committing violations of 2 U.S.C. §§ 434(b) and (g)(1)(B).

3. Respondent certifies that the Committee will file a termination report with the Commission within thirty days of the dated that this agreement becomes effective.

4. Respondent contends that upon completion of his current duties as treasurer, respondent Ross Allen does not intend to serve as treasurer for any political committee, as defined in 2 U.S.C. § 431(4), in the future. In the event that Mr. Allen agrees to undertake such duties in the future, Mr. Allen agrees to attend a Commission-sponsored training program within three (3) months of being named treasurer or, if no program within the three (3) month period, attend the first available Commission-sponsored training program.

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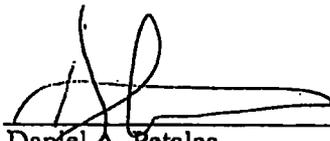
VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire agreement.

X. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

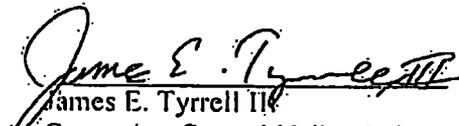
XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained within this written agreement shall be enforceable.

FOR THE COMMISSION:

BY: 
Daniel A. Petalas
Associate General Counsel for Enforcement

8/27/14
Date

FOR THE RESPONDENT:


James E. Tyrrell III
Counsel to Central Valley Independent PAC and
Ross Allen, in his official capacity as Treasurer

6/23/14
Date

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