



**THE FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

January 18, 2023

**Via Electronic Mail**

Alan Grayson  
Star Grayson  
Committee to Elect Alan Grayson  
4460 Willow Cove Court  
Orlando, FL 32835-2558  
[grayson@gletr.net](mailto:grayson@gletr.net)

RE: MUR 7871  
(Committee to Elect Alan Grayson)

Dear Mr. Grayson and Ms. Grayson:

On January 11, 2023, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of the Committee to Elect Alan Grayson and Star Grayson in her official capacity as treasurer (the "Committee"), in settlement of violations of 52 U.S.C. §§ 30104(b) and 30116(f) 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* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the conciliation agreement requires the Committee to amend the errors in reports subsequent to the 2016 July Quarterly Report and 2016 12-Day Pre-Primary Election Report that resulted from its 2016 misreporting. It also requires that such amendments be completed by the date of the final penalty payment required by the conciliation agreement (within 120 days of the date of acceptance). If you have any questions, please contact me at (202) 294-3097.

Sincerely,

*Christopher S. Curran*  
Christopher S. Curran  
Attorney

Enclosure  
Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of  Committee to Elect Alan Grayson and Star Grayson in her official capacity as treasurer	) ) ) ) ) )	MUR 7871
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**CONCILIATION AGREEMENT**

This matter was initiated by the Federal Election Commission (the “Commission”), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Committee to Elect Alan Grayson (the “Committee”) and its former treasurer, Dustin Andersen, in his official capacity as treasurer violated 52 U.S.C. §§ 30104(b) and 30116(f) and 11 C.F.R. §§ 102.9(e), 110.1(b)(3), and 110.2(b)(3), provisions of the Federal Election Campaign Act of 1971, as amended (the “Act”) and the Commission’s regulations, by failing to accurately and timely report receipts and disbursements, and by accepting and failing to remedy excessive contributions.

NOW, THEREFORE, the Commission and the Committee and its current treasurer, Star Grayson, in her official capacity as treasurer (“Respondent”), having participated in informal methods of conciliation, prior to any 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 52 U.S.C. § 30109(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.

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

2                   1.     The Committee is the principal campaign committee of Alan Grayson,  
3     2016 Senate candidate from Florida. During the relevant portions of the 2016 election cycle,  
4     Dustin Andersen was the Committee's treasurer. Star Grayson became the Committee's  
5     treasurer on July 1, 2017, subsequent to the filing of the disclosure reports underlying all of the  
6     violations set forth in this agreement.

7                   2.     The Act requires political committee treasurers to file reports of receipts  
8     and disbursements in accordance with the provisions of 52 U.S.C. § 30104.

9                   3.     Under the Act, an individual may not make a contribution to a candidate  
10    with respect to any election in excess of the legal limit, which was \$2,700 per election during the  
11    2016 election cycle. *See* 52 U.S.C. § 30116(a)(1)(A) and 11 C.F.R. § 110.1(b)(1). A primary  
12    election and a general election are each considered a separate "election" under the Act, and the  
13    contribution limits are applied separately with respect to each election. *See* 52 U.S.C.  
14    §§ 30101(1)(A) and 30116(a)(6); 11 C.F.R. §§ 100.2 and 110.1(j). Candidates and political  
15    committees are prohibited from knowingly accepting excessive contributions. *See* 52 U.S.C.  
16    § 30116(f).

17                  4.     The Commission's regulations permit a candidate's committee to receive  
18    contributions for the general election prior to the primary election. *See* 11 C.F.R. § 102.9(e)(1).  
19    The committee must use an acceptable accounting method to distinguish between primary and  
20    general election contributions. *Id.* The committee's records must demonstrate that prior to the  
21    primary election, the committee's recorded cash on hand was at all times equal to or in excess of  
22    the sum of general election contributions received less the sum of general election disbursements  
23    made. *See* 11 C.F.R. § 102.9(e)(2).

1                   5.       If the candidate does not become a candidate in the general election, the  
2 committee must refund, redesignate, or reattribute such contributions. *See* 11 C.F.R.  
3 §§ 102.9(e)(3), 110.1(b)(3)(i), 110.2(b)(3)(i).

4                   6.       Redesignation of general election contributions may only occur to the  
5 extent that the amount redesignated does not exceed the contributor's contribution limit for the  
6 primary and the amounts redesignated do not exceed the net debts outstanding from the primary.  
7 *See* 11 C.F.R. §§ 110.1(b)(5)(iii) and 110.2(b)(5)(iii). Likewise, reattribution of a general  
8 election contribution may only occur to the extent that such attribution does not exceed the  
9 contributor's contribution limits. *See* 11 C.F.R. § 110.1(k)(3)(ii)(B)(1).

10                  7.       On August 24, 2018, the Committee amended its 2016 July Quarterly  
11 Report to disclose additional receipts totaling \$969,568.35 and additional disbursements totaling  
12 \$965,737.39. On January 15, 2022, the Committee again amended its 2016 July Quarterly  
13 Report to disclose additional receipts totaling \$883,253.77 and additional disbursements totaling  
14 \$1,069,102.67.

15                  8.       On September 7, 2018, the Committee also amended its 2016 12-Day Pre-  
16 Primary Election Report to disclose additional receipts totaling \$79,646.73 and additional  
17 disbursements totaling \$766,205.28. On January 15, 2022, the Committee again amended its  
18 2016 12-Day Pre-Primary Election Report to disclose additional receipts totaling \$79,447.44 and  
19 disbursements totaling \$805,579.57.

20                  9.       The Committee accepted excessive contributions totaling \$43,865.33 for  
21 the 2016 Primary Election and failed to timely refund or redesignate those contributions within  
22 the permissible timeframe, and received \$11,140.32 in contributions designated for the 2016

1 General Election and failed to timely refund, reattribute, or redesignate those contributions when  
2 Grayson lost the 2016 Florida Primary Election.

3 10. Respondent contends that it took untimely corrective action as to most of  
4 the excessive contributions after it replaced its treasurer following the 2016 election, and that  
5 these corrective actions are listed on the Respondent's Form 99 filed August 8, 2022.

6 11. Respondent contends that reporting errors described above caused related  
7 resulting errors in subsequent reporting periods.

8 12. Respondent contends that the reporting errors described in this agreement  
9 occurred during a period in which the Committee's former treasurer allegedly was suffering from  
10 health issues that were not disclosed to and were in fact concealed from the Candidate and other  
11 Committee personnel. Respondent also contends that the Committee's former treasurer allegedly  
12 concealed the reporting errors themselves from the Candidate and other Committee personnel,  
13 until after the deadlines for filing, which prevented anyone else from attempting to avoid or  
14 correct these errors at the time.

15 V. Respondent violated 52 U.S.C. §§ 30104(b) and 30116(f) and 11 C.F.R.  
16 §§ 102.9(e), 110.1(b)(3), and 110.2(b)(3) by failing to accurately disclose receipts and  
17 disbursements and by accepting and failing to remedy excessive contributions.

18 VI. Respondent will take the following actions:

19 1. Respondent will cease and desist from violating 52 U.S.C. §§ 30104(b)  
20 and 30116(f) and 11 C.F.R. §§ 102.9(e), 110.1(b)(3), and 110.2(b)(3).

21 2. Respondent will refund to the contributors any excessive contributions  
22 that have not already been redesignated or reattributed in either a timely or untimely fashion, and  
23 will amend its disclosure reports to properly reflect such refunds.

1                   3.       Respondent will pay a civil penalty to the Federal Election Commission in  
2 the amount of \$55,000. The Committee shall make half of this payment within sixty days of the  
3 date of acceptance of this Agreement by the Commission, and half within 120 days of that date.

4                   4.       Respondent will amend the errors in subsequent disclosure reports that  
5 resulted from its 2016 misreporting and these amendments shall be completed by the date of the  
6 final penalty payment required by this agreement. Reporting errors that are so corrected and  
7 which are directly attributable to the 2016 misreporting are considered covered by this  
8 agreement.

9                   VII.     The Commission, on request of anyone filing a complaint under 52 U.S.C.  
10 § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review  
11 compliance with this agreement. If the Commission believes that this agreement or any  
12 requirement thereof has been violated, it may institute a civil action for relief in the United States  
13 District Court for the District of Columbia.

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

16                  IX.     With the exception of the schedule for the payment of the penalty and amendment  
17 of reports noted above Respondent shall have no more than 60 days from the date this agreement  
18 becomes effective to comply with and implement the requirements contained in this agreement  
19 and to so notify the Commission.

20                  X.     This Conciliation Agreement constitutes the entire agreement between the parties  
21 on the matters raised herein, and no other statement, promise, or agreement, either written or  
22 oral, made by either party or by agents of either party, that is not contained in this written  
23

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1 agreement shall be enforceable.

2 FOR THE COMMISSION:

3 Lisa J. Stevenson  
4 Acting General Counsel

5 BY: Charles  
6 Kitcher

Digitally signed by  
Charles Kitcher  
Date: 2023.01.13  
09:56:28 -05'00'

7 Charles Kitcher  
8 Associate General Counsel  
for Enforcement

1/13/23

Date

9 FOR THE RESPONDENT:

10 Alan Grayson

11 BY: Alan Grayson for the  
12 Committee to Elect Alan Grayson and  
13 Star Grayson in her official capacity  
14 as treasurer

12/2/22

Date