



FEDERAL ELECTION COMMISSION
Washington, DC 20463

February 8, 2022

MEMORANDUM

TO: The Commission

FROM: Lisa J. Stevenson *LJS* /by CK
Acting General Counsel

Charles Kitcher *CK*
Associate General Counsel for Enforcement

Roy Q. Lockett *RQL*
Acting Assistant General Counsel

SUBJECT: Status of Enforcement – Fiscal Year 2022, First Quarter (10/01/21-12/31/21)

To assist the Commission and the Office of General Counsel in assessing the current productivity of the Commission's enforcement program, we submit the Status of Enforcement for the First Quarter of Fiscal Year 2022 (10/01/21-12/31/21). The tables that follow provide information to assist agency management in its review of the enforcement program.

In summary, at the close of the quarter, the total caseload was 289 matters — 228 active and 61 inactive. During the quarter, the Enforcement Division circulated First General Counsel's Reports ("FGCRs") in 27 matters in an average of 281 days, meeting the internal circulation goal 67% of the time. The Enforcement Division's Office of Complaints Examination & Legal Administration ("CELA") did not circulate any EPS reports this quarter. There were 18 matters pending in the investigation stage at the close of the quarter. There were also 42 case closings and the Commission assessed in \$141,528 civil penalties.

Table 1. Caseload

<u>CASELOAD</u>	Inactive	Active	Total
Number of Cases	61	228	289
Number of Reports Pending w/Commission*	4	115	119
FGCR	N/A	178	178
Investigation	N/A	22	22
Pre-Probable Cause Conciliation	N/A	26	26
Probable Cause / PC Brief	N/A	2	N/A
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

*As of February 4, 2022

Table 2. CELA Statistics

<u>CELA INITIAL CASE PROCESSING</u>	Current Quarter	2021	2020	2019	2018	2017	2016	2015
Number of Cases Received	26	128	176	149	258	148	181	121
Number of Cases Rated	22	152	135	144	172	115	111	92
Average Days from Last Response to Rating (Goal: 30 days)	16	15	11	11	10	30	11	9
Ratings Meeting Goal	82% [18/22]	77% [117/152]	84% [114/135]	75% [108/144]	87% [149/172]	75% [86/115]	86% [95/111]	91% [84/92]
Number of Cases Activated	14	101	109	112	128	131	106	84
Average Days from Last Response to Activation (Goal: 90 Days)	101	77	39	47	44	65	26	52
Activations Meeting Goal	57% [8/14]	65% [66/101]	92% [100/109]	72% [81/112]	90% [115/128]	84% [110/131]	96% [102/106]	86% [72/84]
Number of Cases Dismissed Via EPS	2	42	18	44	76	64	45	28
Number of Cases Circulated Via EPS	0	34	24	49	50	58	47	27
Average Days from Assignment to Circulation of EPS Report	0	116	58	50	36	45	99	93
Number of Cases Transferred to ADRO	0	6	11	7	9	9	6	12
Average Days from Rating to Transfer to ADRO (Goal: 60 Days)	0	60	32	36	26	42	40	63
ADRO Transfers Meeting Goal	0% [0/0]	67 % [4/6]	82% [9/11]	71% [5/7]	89% [8/9]	75% [6/8]	60% [3/5]	67% [8/12]

Table 3. Enforcement Statistics

<u>ENFORCEMENT PROCESS</u>	Current Quarter	FY 2021	2020	2019	2018	2017	2016	2015
First General Counsel's Reports ("FGCRs")								
Cases with FGCRs Circulated	27	128	103	143	95	140	61	85
Average Days from Activation to Circulation	281	165	153	177	142	103	94	87
FGCRs Meeting Established Time Goal	67% [18/27]	73% [93/128]	68% [70/103]	68% [97/143]	76% [72/95]	86% [120/140]	90% [55/61]	96% [82/85]
Pre-Probable Cause Conciliation ("PPCC")								
Negotiations Commenced	26	103	2	79	80	51	59	20
Negotiations Concluded	25	49	12	84	49	53	64	33
Average Days in PPCC (Goal: 60 Days)	97	122	221	127	163	130	111	136
Number of Negotiations Meeting Goal	8%	65%	0%	30%	31%	34%	41%	30%
Investigations								
Investigations Commenced	2	12	1	31	16	14	9	8
Investigations Closed	2	22	8	10	8	7	3	5
Average Days in Investigation	526	660	549	634	387	400	272	445
Active Investigations at Close of Quarter	18							
Probable Cause								
Hearing Requests/Number Granted	2/2	1/1	0/0	0/0	1/1	0/0	0/0	2/2
Cases with Probable Cause Findings	2	2	0	0	0	2	2	3
Negotiated PC Settlements Approved	2	1	0	0	0	0	0	2
Average Days in PC Conciliation	15	29	N/A	N/A	N/A	40	N/A	59
Closed Cases								
Matters Closed	42	194	37	189	169	151	148	88
Matters Closed Within 15 Months	8 (19%)	66 (34%)	23 (62%)	106 (56%)	104 (62%)	100 (66%)	56 (38%)	43 (49%)
Average Days from Receipt to Closing	737	852	530	630	436	472	666	625
Civil Penalties	\$141,528	\$803,878	\$702,000	\$2,123,436	\$635,200	\$1,384,300	\$595,425	\$346,569

Table 4. Cases Pending Without a Commission Vote for 12 Months

Matter	Case Name	Opened	Days Received to Close of Quarter	Circulation Date	Status Letter Date
1				12/14/21	10/22/21
2				08/13/19	09/01/21
3				(03/31/22)	01/31/22
4				02/20/20	04/21/21
5				11/03/21	03/18/21
6				10/28/19	10/19/21
7				(03/31/22)	02/01/22
8				01/14/22	08/20/21
9				<i>Abeyance</i>	04/10/20
10				(06/30/22)	08/26/21
11				(06/30/22)	08/26/21
12				12/03/19	06/07/21
13				<i>Abeyance</i>	10/30/20
14				08/04/21	11/03/20
15				10/28/19	10/19/21
16				(03/31/22)	08/12/21
17				(03/31/22)	08/12/21
18				08/04/21	11/03/20
19				03/23/21	10/04/21
20				06/04/20	04/22/21
21				08/04/21	N/A
22				05/22/20	02/02/22
23				08/07/20	02/03/21
24				03/23/21	11/30/21
25				<i>Withdrawn</i>	02/18/21
26				12/03/21	04/06/21
27				05/27/20	04/22/21
28				<i>Pre-tagged</i>	N/A
29				(03/31/22)	04/02/21

Matter	Case Name	Opened	Days Received to Close of Quarter	Circulation Date	Status Letter Date
30				(03/31/22)	04/02/21
31				(03/31/22)	02/02/22
32				05/27/20	04/22/21
33				<i>Pre-tagged</i>	N/A
34				07/09/21	04/02/21
35				10/22/20	03/31/21
36				(03/31/22)	04/02/21
37				09/25/20	03/31/21
38				11/23/20	04/22/21
39				07/23/20	04/16/21
40				<i>Deactivated</i>	02/19/21
41				08/28/20	03/30/21
42				10/08/20	03/31/21
43				03/23/21	N/A
44				<i>Pre-tagged</i>	N/A
45				09/25/20	03/31/21
46				10/22/20	03/31/21
47				09/25/20	03/31/21
48				10/19/20	04/22/21
49				(06/30/22)	04/22/21
50				(06/30/22)	03/15/21
51				(06/30/22)	03/15/21
52				01/11/21	04/30/21
53				10/19/20	04/16/21
54				07/12/21	07/14/21
55				12/18/20	07/14/21
56				11/12/20	07/09/21
57				11/18/20	07/14/21
58				06/10/21	07/08/21
59				12/07/20	06/17/21
60				11/17/20	06/21/21
61				01/11/21	07/12/21

Matter	Case Name	Opened	Days Received to Close of Quarter	Circulation Date	Status Letter Date
62				12/28/20	11/03/21
63				06/17/21	10/18/21
64				(03/31/22)	10/19/21
65				(03/31/22)	11/02/21
66				01/26/22	02/03/22
67				01/21/22	10/29/21
68				04/02/21	10/18/21
69				<i>Abeyance</i>	08/12/21
70				01/27/21	10/04/21
71				07/30/21	10/19/21
72				05/26/21	10/29/21
73				02/18/21	08/17/21
74				12/18/20	09/17/21
75				04/08/21	11/02/21
76				(03/31/22)	10/18/21
77				04/07/21	09/01/21
78				01/21/22	10/05/21
79				03/11/21	10/05/21
80				01/26/22	10/29/21
81				(03/31/22)	N/A
82				04/02/21	10/04/21
83				07/21/21	11/02/21
84				<i>Withdrawn</i>	09/21/21
85				03/31/21	02/07/22
86				08/11/21	02/04/22
87				11/18/21	10/19/21
88				07/21/21	02/02/22
89				04/22/21	02/03/22
90				01/21/22	02/03/22
91				08/12/21	02/02/22
92				(03/31/22)	02/03/22
93				04/21/21	02/03/22

Matter	Case Name	Opened	Days Received to Close of Quarter	Circulation Date	Status Letter Date
94				06/16/21	11/02/21
95				06/16/21	10/29/21
96				08/24/21	10/22/21
97				11/16/21	02/04/22
98				08/11/21	10/29/21
99				08/11/21	02/01/22
100				02/04/22	02/04/22
101				01/21/22	02/03/22
102				03/24/21	01/31/22
103				01/04/22	12/08/21
104				09/10/21	11/03/21
105				<i>Deactivated</i>	02/03/22
106				<i>Deactivated</i>	02/03/22
107				<i>Deactivated</i>	02/03/22
108				08/05/21	10/28/21
109				03/24/21	01/31/22
110				08/05/21	02/01/22
111				03/24/21	01/31/22
112				08/30/21	10/29/21
113				06/11/21	11/02/21
114				03/24/21	01/31/22
115				09/15/21	02/02/22
116				08/24/21	11/30/21
117				07/21/21	12/08/21
118				06/16/21	10/29/21
119				07/21/21	02/07/22
120				08/09/21	01/31/22
121				11/12/21	01/31/22
122				11/12/21	01/31/22
123				10/27/21	01/10/22

A date in parenthesis is the date FGCR is scheduled to circulate

Table 5. Statute of Limitations Sensitive Matters (18 Months)

	Matter	Case Name	Tolling	Opened	Earliest SOL	Latest SOL	Current Stage
1							
2							
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27							
28							
29							
30							

	Matter	Case Name	Tolling	Opened	Earliest SOL	Latest SOL	Current Stage
31							
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38							
39							
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41							
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60							
61							
62							

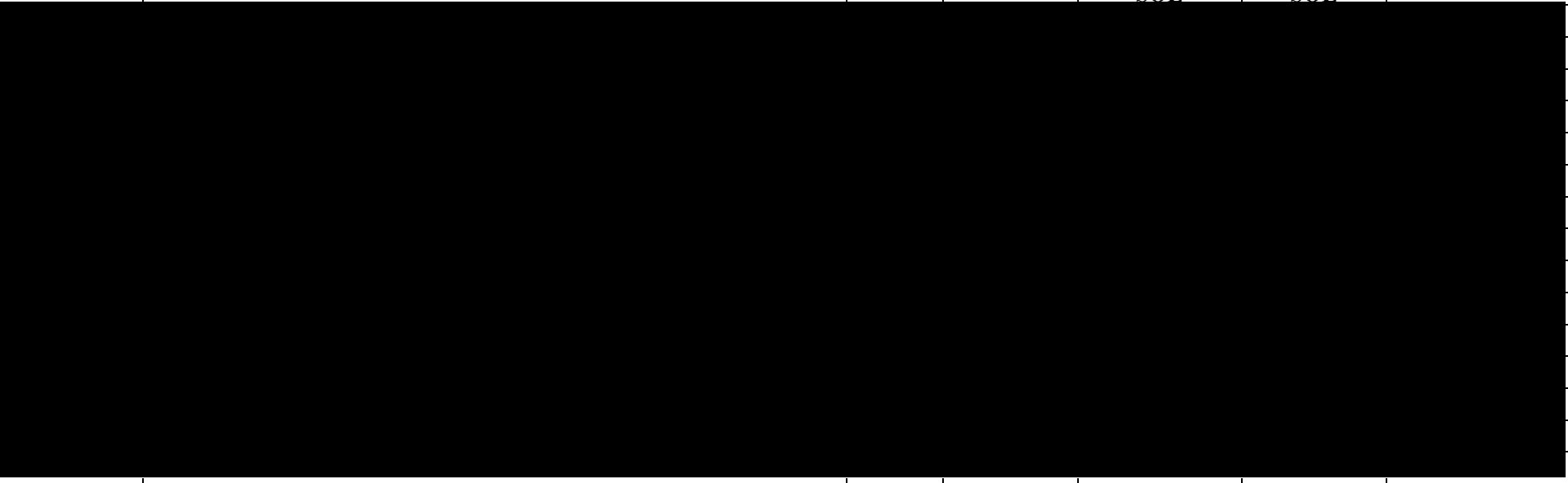
	Matter	Case Name	Tolling	Opened	Earliest SOL	Latest SOL	Current Stage
63							
64							
65							
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73							
74							
75							
76							
77							

Table 6. Matters Beyond the Reason to Believe Stage

Matter	Case Name	Current Stage
1		
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30		
31		

Matter	Case Name	Current Stage
32		
33		
34		
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Table 7. First General Counsel’s Reports Pending with the Commission at the End of the Quarter

Matter	Case Name	Receipt	Assigned	Circ.	# of Days Receipt to Circ.	# of Days Assigned to Circ.	# of Days Assigned to Close of Quarter	# of Days Circ. to Close of Quarter	Held Over
1	[REDACTED]	[REDACTED]	04/01/16	02/08/17	[REDACTED]	313	2100	1787	09/25/18; 10/09/18; 10/11/18; 10/23/18; 10/25/18; 11/14/18; 11/15/18; 12/06/18; 12/13/18; 02/05/19; 02/07/19; 03/19/19; 03/26/19; 03/28/19; 04/09/19; 04/11/19; 04/23/19; 04/25/19; 05/07/19; 05/09/19; 05/21/19; 05/23/19; 06/04/19; 06/20/19; 06/25/19; 07/09/19; 07/11/19; 06/23/20; 06/25/20; 01/11/22; 01/13/22; 01/25/22; 01/27/22
2	[REDACTED]	[REDACTED]	04/01/16	02/08/17	[REDACTED]	313	2100	1787	09/25/18; 10/09/18; 10/11/18; 10/23/18; 10/25/18; 11/14/18; 11/15/18; 12/06/18; 12/13/18; 02/05/19; 02/07/19; 03/19/19; 03/26/19; 03/28/19; 04/09/19; 04/11/19; 04/23/19; 04/25/19; 05/07/19; 05/09/19; 05/21/19; 05/23/19; 06/04/19; 06/20/19; 06/25/19; 07/09/19; 07/11/19; 06/23/20; 06/25/20; 01/11/22; 01/13/22; 01/25/22; 01/27/22

Matter	Case Name	Receipt	Assigned	Circ.	# of Days Receipt to Circ.	# of Days Assigned to Circ.	# of Days Assigned to Close of Quarter	# of Days Circ. to Close of Quarter	Held Over
3	[REDACTED]	[REDACTED]	01/24/19	05/10/19	[REDACTED]	106	1072	966	05/21/19; 05/23/19; 06/04/19; 06/20/19; 06/25/19; 07/09/19; 07/11/19; 01/26/21; 01/28/21; 02/09/21; 02/23/21; 02/25/21; 01/11/22; 01/13/22; 01/25/22; 01/27/22
4	[REDACTED]	[REDACTED]	01/24/19	05/10/19	[REDACTED]	106	1072	966	05/21/19; 05/23/19; 06/04/19; 06/20/19; 06/25/19; 07/09/19; 07/11/19; 01/26/21; 01/28/21; 02/09/21; 02/23/21; 02/25/21; 01/25/22; 01/27/22
5	[REDACTED]	[REDACTED]	01/24/19	05/10/19	[REDACTED]	106	1072	966	05/21/19; 05/23/19; 06/04/19; 06/20/19; 06/25/19; 07/09/19; 07/11/19; 01/26/21; 01/28/21; 02/09/21; 02/23/21; 02/25/21; 01/25/22; 01/27/22
6	[REDACTED]	[REDACTED]	02/12/19	05/10/19	[REDACTED]	87	1053	966	05/21/19; 05/23/19; 06/04/19; 06/20/19; 06/25/19; 07/09/19; 07/11/19; 01/26/21; 01/28/21; 02/09/21; 02/23/21; 02/25/21; 01/25/22; 01/27/22
7	[REDACTED]	[REDACTED]	12/15/18	08/13/19	[REDACTED]	241	1112	871	06/08/21; 06/10/21; 06/22/21; 06/24/21; 07/13/21; 07/15/21; 09/14/21
8	[REDACTED]	[REDACTED]	04/23/19	08/21/19	[REDACTED]	120	983	863	06/23/20; 06/25/20; 12/02/21; 01/11/22; 01/13/22; 01/25/22; 01/27/22

Matter	Case Name	Receipt	Assigned	Circ.	# of Days Receipt to Circ.	# of Days Assigned to Circ.	# of Days Assigned to Close of Quarter	# of Days Circ. to Close of Quarter	Held Over
9			05/21/19	09/18/19		120	955	835	01/26/21; 01/28/21; 02/09/21; 02/23/21; 02/25/21; 10/26/21; 10/28/21
10			05/21/19	09/18/19		120	955	835	01/26/21; 01/28/21; 02/09/21; 02/23/21; 02/25/21; 10/26/21; 10/28/21
11			08/29/19	09/18/19		20	855	835	01/26/21; 01/28/21; 02/09/21; 02/23/21; 02/25/21; 10/26/21; 10/28/21
12			08/22/19	10/28/19		67	862	795	
13			08/22/19	10/28/19		67	862	795	
14			03/22/19	11/22/19		245	1015	770	06/23/20; 06/25/20; 01/12/21; 01/14/21; 01/11/22; 01/13/22; 01/25/22; 01/27/22
15			09/04/19	12/03/19		90	849	759	
16			07/01/19	02/20/20		234	914	680	05/04/21; 05/06/21
17			02/26/20	05/22/20		86	674	588	
18			12/03/19	05/22/20		171	759	588	03/23/21; 03/25/21; 01/11/21; 01/13/22; 01/25/22; 01/27/22
19			03/03/20	05/27/20		85	668	583	
20			03/03/20	05/27/20		85	668	583	
21			12/03/19	06/04/20		184	759	575	
22			04/29/20	07/23/20		85	611	526	
23			02/20/20	08/07/20		169	680	511	
24			02/20/20	08/07/20		169	680	511	01/26/21; 01/28/21; 02/09/21; 02/23/21; 02/25/21
25			05/01/20	08/28/20		119	609	490	
26			05/29/20	09/25/20		119	581	462	01/12/21; 01/14/21; 01/26/21; 01/28/21;

Matter	Case Name	Receipt	Assigned	Circ.	# of Days Receipt to Circ.	# of Days Assigned to Circ.	# of Days Assigned to Close of Quarter	# of Days Circ. to Close of Quarter	Held Over
									01/25/22; 01/27/22
27			05/29/20	09/25/20		119	581	462	01/12/21; 01/14/21; 01/26/21; 01/28/21; 01/25/22; 01/27/22
28			04/14/20	09/25/20		164	626	462	
29			04/14/20	09/25/20		164	626	462	
30			04/14/20	09/25/20		164	626	462	
31			05/29/20	09/25/20		119	581	462	
32			06/10/20	10/08/20		120	569	449	
33			07/22/20	10/19/20		89	527	438	
34			04/29/20	10/22/20		176	611	435	
35			04/29/20	10/22/20		176	611	435	
36			07/31/20	10/29/20		90	518	428	
37			07/15/20	11/12/20		120	534	414	
38			07/17/20	11/17/20		123	532	409	01/12/21; 01/14/21; 01/26/21; 01/28/21; 01/11/22; 01/13/22; 01/25/22; 01/27/22
39			08/20/20	11/17/20		89	498	409	
40			07/21/20	11/18/20		120	528	408	
41			08/25/20	11/23/20		90	493	403	
42			08/26/20	12/07/20		103	492	389	
43			08/20/20	12/18/20		120	498	378	
44			10/06/20	12/18/20		73	451	378	
45			10/13/20	12/28/20		76	444	368	
46			09/11/20	01/11/21		122	476	354	
47			09/11/20	01/11/21		122	476	354	
48			10/29/20	01/27/21		90	428	338	10/13/21; 10/14/21; 10/26/21; 10/28/21
49			10/21/20	02/18/21		120	436	316	
50			05/14/19	02/19/21		647	962	315	03/23/21; 03/25/21; 01/11/22; 01/13/22; 01/25/22; 01/27/22
51			11/12/20	03/12/21		120	414	294	
52			01/31/20	03/23/21		417	700	283	04/06/21; 04/08/21; 04/20/21; 04/22/21

Matter	Case Name	Receipt	Assigned	Circ.	# of Days Receipt to Circ.	# of Days Assigned to Circ.	# of Days Assigned to Close of Quarter	# of Days Circ. to Close of Quarter	Held Over
53			01/31/20	03/23/21		417	700	283	04/06/21; 04/08/21; 04/20/21; 04/22/21
54			06/10/20	03/23/21		286	569	283	04/06/21; 04/08/21; 04/20/21; 04/22/21
55			12/03/20	03/24/21		111	393	282	
56			12/03/20	03/24/21		111	393	282	
57			12/03/20	03/24/21		111	393	282	
58			12/03/20	03/24/21		111	393	282	
59			12/01/20	03/31/21		120	395	275	
60			12/04/20	04/02/21		119	392	273	
61			01/05/21	04/05/21		87	360	270	
62			12/08/20	04/07/21		122	388	268	
63			11/10/20	04/08/21		149	416	267	
64			12/22/20	04/21/21		121	374	254	
65			12/22/20	04/22/21		121	374	253	
66			01/27/21	05/26/21		119	338	219	
67			03/12/21	06/10/21		81	294	204	
68			03/16/21	06/11/21		87	290	203	
69			03/23/21	06/16/21		90	283	198	
70			03/18/21	06/16/21		90	288	198	
71			03/18/21	06/16/21		90	288	198	
72			03/19/20	06/17/21		90	652	197	
73			04/13/21	07/12/21		90	262	172	10/26/21; 10/28/21
74			03/23/21	07/21/21		108	283	163	
75			04/22/21	07/21/21		90	253	163	
76			03/23/21	07/21/21		120	283	163	
77			04/22/21	07/21/21		90	253	163	
78			04/22/21	07/21/21		90	253	163	
79			03/03/21	07/30/21		149	303	154	
80			02/11/21	08/04/21		174	323	149	
81			02/11/21	08/04/21		174	323	149	
82			02/11/21	08/04/21		174	323	149	
83			05/11/21	08/05/21		86	234	148	
84			05/25/21	08/05/21		72	220	148	
85			05/18/21	08/09/21		83	227	144	

Matter	Case Name	Receipt	Assigned	Circ.	# of Days Receipt to Circ.	# of Days Assigned to Circ.	# of Days Assigned to Close of Quarter	# of Days Circ. to Close of Quarter	Held Over
86			05/14/21	08/11/21		89	231	142	
87			04/13/21	08/11/21		120	262	142	
88			04/13/21	08/11/21		120	262	142	
89			07/08/21	08/12/21		35	176	141	
90			05/20/21	08/24/21		96	225	129	
91			04/27/21	08/24/21		119	248	129	
92			06/23/21	08/26/21		64	191	127	
93			06/23/21	08/26/21		64	191	127	
94			05/04/21	08/30/21		118	241	123	
95			05/13/21	09/10/21		120	232	112	
96			05/18/21	09/15/21		120	227	107	
97			05/25/21	09/20/21		118	220	102	
98			03/15/19	11/03/21		964	1022	58	12/14/21; 12/16/21; 01/11/22; 01/13/22
99			07/16/21	11/12/21		119	168	49	
100			07/16/21	11/12/21		119	168	49	
101			07/16/21	11/12/21		119	168	49	
102			07/23/21	11/17/21		117	161	44	
103			08/20/21	11/18/21		90	133	43	
104			10/04/19	11/23/21		781	819	38	12/14/21; 12/16/21; 01/11/22; 01/13/22; 01/25/22; 01/27/22
105			08/14/19	11/23/21		832	870	38	12/14/21; 12/16/21; 01/11/22; 01/13/22; 01/25/22; 01/27/22
106			10/04/19	11/23/21		781	819	38	12/14/21; 12/16/21; 01/11/22; 01/13/22; 01/25/22; 01/27/22
107			10/04/19	11/23/21		781	819	38	12/14/21; 12/16/21; 01/11/22; 01/13/22; 01/25/22; 01/27/22
108			08/26/21	11/24/21		90	127	37	01/25/22; 01/27/22
109			07/16/21	12/01/21		138	168	30	
110			08/05/21	12/03/21		120	148	28	01/25/22; 01/27/22
111			10/05/21	12/03/21		59	87	28	

Matter	Case Name	Receipt	Assigned	Circ.	# of Days Receipt to Circ.	# of Days Assigned to Circ.	# of Days Assigned to Close of Quarter	# of Days Circ. to Close of Quarter	Held Over
112			09/03/21	12/09/21		97	119	22	
113			09/27/18	12/14/21		1174	1191	17	01/25/22; 01/27/22
114			08/26/21	12/14/21		110	127	17	
115			08/24/21	12/16/21		114	129	15	
116			08/26/21	12/22/21		118	127	9	
117			08/25/21	12/22/21		119	128	9	
118			08/25/21	12/27/21		124	128	4	

Table 8. Foreign National Matters

Matter #	Primary Respondent	Complainant	Receipt	Assigned	Last Response	Status	To DOJ	Country	Earliest SOL
1				05/22/18					
2				12/06/18					
3				02/13/19					
4				08/06/19					
5				08/28/19					
6				07/25/19					
7				01/28/19					
8				06/17/20					
9				01/31/20					
10				06/10/20					
11				09/09/21					
12				10/04/21					
13				N/A					