

**In the  
Supreme Court of the United States**

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Michael C. Turzai, in his capacity as Speaker of the Pennsylvania House of Representatives, and Joseph B. Scarnatti III, in his capacity as Pennsylvania Senate President Pro Tempore.,

*Applicants,*

v.

League of Women Voters of Pennsylvania, *et al.*,

*Respondents.*

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**ON EMERGENCY APPLICATION FOR STAY PENDING  
RESOLUTION OF APPEAL TO THIS COURT**

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**MOTION FOR LEAVE TO FILE AMICUS BRIEF, MOTION FOR LEAVE  
TO FILE BRIEF ON 8 1/2 BY 11 INCH PAPER, AMICUS BRIEF FOR  
REPUBLICAN PARTY OF PENNSYLVANIA**

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To the Honorable Samuel A. Alito, Jr.  
Associate Justice of the United States and  
Circuit Justice for the Third Circuit

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Joel L. Frank  
*Counsel of Record*  
Scot R. Withers  
LAMB McERLANE PC  
24 East Market Street  
West Chester, PA 19321  
Phone: (610) 430-8000  
Facsimile: (610) 692-0877  
Email: jfrank@lambmcerlane.com  
swithers@lambmcerlane.com

*Counsel for Amicus Curiae  
Republican Party of Pennsylvania*

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**MOTION FOR LEAVE TO FILE AMICUS BRIEF  
IN SUPPORT OF EMERGENCY APPLICATION FOR STAY  
FOR REPUBLICAN PARTY OF PENNSYLVANIA**

---

The Republican Party of Pennsylvania respectfully moves for leave of Court to file the accompanying Amicus Brief in support of Applicants' Emergency Application for Stay.

In support of their motion, Amicus asserts that the Pennsylvania Supreme Court ruling at issue raises grave concerns about disruption of the 2018 elections. Amicus asserts the ruling creates exigent circumstances that warrant being permitted to be heard on the issue of Applicants' Emergency Application for Stay and request their motion to file the attached amicus brief be granted.

Respectfully submitted on this 29th day in January, 2018.

A handwritten signature in blue ink, appearing to read "Joel L. Frank". The signature is written in a cursive style and is positioned above a horizontal line.

Joel L. Frank

*Counsel of Record*

Scot R. Withers

LAMB McERLANE PC

24 East Market Street

West Chester, PA 19321

Phone: (610) 430-8000

Facsimile: (610) 692-0877

Email: [jfrank@lambmcerlane.com](mailto:jfrank@lambmcerlane.com)

[swithers@lambmcerlane.com](mailto:swithers@lambmcerlane.com)

*Counsel for Amicus Curiae*

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**MOTION FOR LEAVE TO FILE BRIEF ON 8 1/2 BY 11 INCH  
PAPER FOR REPUBLICAN PARTY OF PENNSYLVANIA**

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The Republican Party of Pennsylvania respectfully moves for leave of Court to file their amicus brief in support of Applicants' Emergency Application for Stay on 8 ½ by 11-inch paper rather than in booklet form.

In support of their motion, Amicus asserts that the Emergency Application for Stay filed by Applicants in this matter was filed on Thursday, January 25, 2018. The expedited filing of the application and the resulting compressed deadline for any response prevented Amicus from being able to get this brief prepared for printing and filing in booklet form. Nonetheless, Amicus desire to be heard on the application and request the Court grant this motion and accept the paper filing.

Respectfully submitted on this 29th day in January, 2018,

A handwritten signature in blue ink, appearing to read "Joel L. Frank", written over a horizontal line.

Joel L. Frank

*Counsel of Record*

Scot R. Withers

LAMB McERLANE PC

24 East Market Street

West Chester, PA 19321

Phone: (610) 430-8000

Facsimile: (610) 692-0877

Email: [jfrank@lambmcerlane.com](mailto:jfrank@lambmcerlane.com)

[swithers@lambmcerlane.com](mailto:swithers@lambmcerlane.com)

*Counsel for Amicus Curiae*

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## AMICUS BRIEF IN SUPPORT OF EMERGENCY APPLICATION FOR STAY FOR REPUBLICAN PARTY OF PENNSYLVANIA<sup>1</sup>

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### STATEMENT OF INTEREST OF AMICI CURIAE

*Amicus curiae* is the Republican Party of Pennsylvania in its own capacity and, as a major political party, 25 P.S. § 2831(a), and the State committee for the Republican Party in Pennsylvania, 25 P.S. § 2834, with 350 members and numerous candidates running for the House of Representatives in this year's primary election,<sup>2</sup> on behalf of all of its members and

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<sup>1</sup> No counsel for a party authored this brief in whole or in part, and no counsel or party made a monetary contribution intended to fund the preparation or submission of this brief. No person other than *amicus curiae*, made a monetary contribution to its preparation or submission.

<sup>2</sup> Dozens of congressional candidates are running in the primary election for Pennsylvania's eighteen congressional districts.

congressional candidates. Amicus Curiae has a vital interest in the law regarding redistricting since congressional districts directly impact constituents, campaigns, and elections. Accordingly, the Pennsylvania Supreme Court's ruling has obvious and widespread implications as the 2018 election cycle is already well underway.

## ARGUMENT

Applicants filed an emergency application to stay the Pennsylvania Supreme Court's January 22, 2018 per curiam order finding the 2011 Pennsylvania Congressional plan violative of the Pennsylvania Constitution, without specifically identifying which of the constitutional provisions the 2011 Pennsylvania Congressional plan violated. This ruling threatens to upend the regularly scheduled election process of Pennsylvania.

The Pennsylvania Supreme Court ordered that the Pennsylvania General Assembly "submit a congressional districting plan for consideration by the Governor on or before February 9, 2018. If the Governor accepts the General Assembly's congressional districting plan, it shall be submitted to [the Pennsylvania Supreme] Court on or before February 15, 2018." Absent summary reversal, these deadlines will likely come and go before this Court has time to resolve the applicants' pending appeal of the Pennsylvania Supreme Court's decision. Accordingly, left unstayed, the Pennsylvania Supreme Court's order will force Amicus and its congressional candidates to devote considerable resources to reaching different voters, campaigning in different districts, and fundraising from different areas. Further, in reasonable

anticipation of the 2018 election cycle, and in reliance upon the existing congressional maps, Amicus and its congressional candidates have been spending time, receiving and expending valuable resources in furtherance of the 2018 congressional campaigns. Similarly, the citizens of Pennsylvania who have been contributing to and volunteering with congressional campaigns in their district may live in different districts under a new plan. If this Court does not stay or summarily reverse the Pennsylvania Supreme Court's decision, many of the resources that Amicus and the citizens of Pennsylvania expended in reasonable anticipation of the 2018 election will be wasted on campaigning in what might become incorrect congressional districts.

Granting a stay will allow Amicus and its congressional candidates to continue to reach their current constituency and avoid wasting valuable campaign resources. Similarly, granting a stay will allow Pennsylvania constituents to continue contributing to and supporting their existing members of congress without waste and uncertainty while this Court considers the merits of the decision below. Accordingly, Amicus respectfully ask this Court to grant the stay application while this Court resolves the disposition of the appeal.

**I. IF THIS COURT DOES NOT GRANT A STAY, CONGRESSIONAL CANDIDATES IN PENNSYLVANIA WILL SUFFER IRREPARABLE HARM BY THEIR PREVIOUS RELIANCE ON THE DISTRICT MAPS.**

Without a stay of the decision below, Amicus and its congressional candidates will suffer irreparable harm due to their now obsolete and defunct campaign resource allocations. Amicus and its congressional candidates, and many other congressional candidates, have long been campaigning in anticipation of the 2018 election. In addition, media and opposition campaigns have already been unleashed against

congressional incumbents by various political groups and activists, including Democrats. In running for their respective congressional seats, congressional candidates have invested substantial time, effort, and/or money.

Congressional candidates' personal efforts, activities, duties, and stakes in their congressional candidacies are well underway. These activities require knowing with certainty the geographic parameters of congressional districts with sufficient lead time to permit the development of a campaign strategy that is tailored to the needs of the unique voters in each district. The decision to undertake such investment was based in no small part on the existing boundaries of the congressional districts. In fact, the district boundaries were a critical factor in making decisions about each candidacy. A change in congressional districts before the 2018 elections could threaten some candidacies for Congress because candidates may no longer live in their districts, they may be paired with another incumbent, or a new district could geographically or demographically favor a primary opponent. Congressional candidates have been relying on the existing congressional map for over a year in making campaign and election related decisions regarding the 2018 election.

The courts have repeatedly held that upending political geography in the midst of elections can cause harm through the disruption of the political process, especially as the election approaches. *See Purcell v. Gonzalez*, 549 U.S. 1 (2006); *Reynolds v. Sims*, 377 U.S. 533, 585 (1964) ("In awarding or withholding immediate relief, a court is entitled to and should consider the proximity of a forthcoming election and the mechanics and complexities of state election laws, and should act and rely upon general equitable principles. With respect to the timing of relief, a court can reasonably

endeavor to avoid a disruption of the election process which might result from requiring precipitate changes that could make unreasonable or embarrassing demands on a State in adjusting to the requirements of the court's decree."); see *Williams v. Rhodes*, 393 U.S. 23, 35, 89 (1968) (finding last-minute addition to ballot would pose "a risk of interference with the rights of other [citizens], for example, absentee voters").

In the present case, now that the 2018 election cycle is well underway, a judicially ordered redistricting for the 2018 congressional elections—especially before this Court has had an opportunity to review the decision of the district court—would result in "[s]erious disruption of orderly . . . election processes." *Butcher v. Bloom*, 203 A.2d 556, 568 (Pa. 1964). Not only will congressional candidates have allocated resources directed towards voters who no longer reside in the same district—and therefore may no longer be potential constituents or supporters—they will have to expend additional resources to reach new voters who now reside in the new districts. Congressional candidate resource allocation has been carefully targeted to reach potential supporters in each congressional district. If Pennsylvania's congressional districts are changed, every candidate will have to expend additional campaign resources in order to reach new potential supporters and voters. These changes will result in candidates expending substantial resources without time to fundraise, given the fast approaching primary filing deadline.

Moreover, given the time constraints and proximity to filing deadlines, more expensive methods of campaign communication would have to be utilized in order to reach voters who are new to congressional districts. Grassroots efforts such as community organizing, door knocking, volunteer phone banking, canvassing, and

barnstorming generally require candidates to expend less money, but require much more time. Given the Pennsylvania Supreme Court's order, candidates will be forced to utilize more expensive—and less direct—means of voter outreach such as paid robo-calls and advertisement through television, internet, radio, and print. The lack of direct voter contact from campaigns will fundamentally undermine the direct constituent involvement in the political process. If this Court does not grant this stay and subsequently reverses the Pennsylvania Supreme Court's decision, even more waste and harm will occur because campaigns will have reached out to new voters—who upon reversal no longer reside in those districts—while potentially ceasing to reach out to voters who had their districts switched and who reside in the original districts again.

Because of this overwhelming potential for harm, Amicus respectfully requests this Court grant the stay application pending resolution of the applicants' petition for certiorari.

II. **WITHOUT A STAY, THE CITIZENS OF PENNSYLVANIA WHO HAVE ENGAGED IN THE POLITICAL PROCESS WILL SUFFER HARM BY THE CREATION OF ANY INTERIM CONGRESSIONAL MAP.**

Without a stay of the decision below, the citizens of Pennsylvania will suffer irreparable harm due to their involvement in the political process. Their rights to vote, to express political opinions, to work to elect candidates of choice, and to run for political office are core free expression and free assembly rights. PA. CONST. art. I §§ 7, 20; *see also* *In re Street*, 451 A.2d 427, 432 (Pa. 1982) (“While the right to associate for the advancement of political beliefs includes the right to advance a candidate who represents those interests, . . . the right of association does not encompass the right to nominate as a candidate a particular individual who fails to meet reasonable eligibility

requirements . . .”).

Just as Amicus and its congressional candidates have been raising and expending funds in efforts to win the 2018 election, the citizens of Pennsylvania have been contributing to and volunteering with congressional candidates in anticipation of the 2018 election. These citizens have supported these representatives in reliance on the existing congressional map. Much of this support may not have been pledged if the contributor resided in a different district than the candidate or if a candidate was not likely to be successful in the 2018 elections. The decisions to undertake this support were based in no small part on the existing boundaries of the congressional districts.

A change in congressional districts before the 2018 elections will likely result in contributors being represented by different representatives than the ones to whom they originally contributed. Many citizens will surely be harmed by this kind of situation because when pledging their support they wished to support a candidate who had the potential to represent them in congress for yet another term. Essentially, these contributors relied on the existing congressional map when engaging in the political process, and a change to that map prior to the 2018 election, especially before this Court has had an opportunity to review the decision of the lower court, will certainly cause irreparable harm through the misallocation of campaign contributions.

Moreover, a complete upheaval of the regularly scheduled election processes of Pennsylvania, without this Court having the opportunity to review the decision, will certainly have a chilling effect on contributor’s willingness to provide funds. As this Court stated in *Buckley v. Valeo*, “[g]iven the important role of contributions in financing political campaigns, contribution restrictions could have a severe impact on



political dialogue if the limitations prevented candidates and political committees from amassing the resources necessary for effective advocacy.” 424 U.S. 1, 21 (1976). The Pennsylvania Supreme Court’s order to draw remedial maps is bound to “result in voter [and contributor] confusion and consequent incentive to remain away from the polls.” *Purcell v. Gonzalez*, 549 U.S. 1, 4-5 (2006).

Additionally, county Republican party organizations throughout the Commonwealth of Pennsylvania have begun the process of interviewing congressional candidates for the purpose of determining whether and whom the county party will endorse for the primary elections. This is a process that begins in earnest in January as candidates for Congress and other offices communicate with local elected county committee people by mail, phone, and in-person visits, and then participate, in many counties, in candidate interviews with the committees. These elected Committee people, each representing their respective precincts, have already participated in straw votes to determine the strength of a given candidate. In many counties, this process culminates in early-to-mid February, when the county committees meet formally and in accordance with their respective bylaws to decide whom to endorse. This process cannot continue without definitive deadlines and in many cases, County Republican organizations by laws provide no process for an endorsement meeting later in the year.

Thus, in addition to the voter confusion that would undoubtedly take place given the creation of any interim map, the citizens of Pennsylvania who are already involved in the political process through contribution and volunteering will be harmed. A grant of stay by this Court will avoid the resulting unnecessary and irreparable harm to citizens’ core expression and assembly rights by removing the potential for uncertainty,

wastefulness, and hesitancy. Accordingly, Amicus respectfully requests this Court grant the stay application, while this Court considers disposition of the appeal.

**III. WITHOUT A STAY, THE POSTPONEMENT OF THE STATUTORILY REQUIRED ELECTION DEADLINES WILL CAUSE SIGNIFICANT COST AND LOGISTICAL CHALLENGES, RISKING ADDITIONAL VOTER CONFUSION.**

Deadlines for the 2018 primary and general elections are rapidly approaching. By statute, the Pennsylvania Election Code specifies the dates on which nomination petitions, including those for congressional candidates, can begin circulation and when they must be filed. 25 Pa.C.S. § 2868. For the 2018 elections, the first day to circulate and file nomination petitions for a candidate for Congress is February 13, 2018. (Joint Stipulation of Facts below ¶ 131.) Nomination petitions must be filed by March 6, 2018. (J. Stip. ¶ 132.) Remote military-overseas absentee ballots must be mailed by March 26, 2018. (J. Stip. ¶ 135 (citing 25 Pa.C.S. § 3508(b)(1)).) The 2018 general primary election is scheduled for May 15, 2018. (J. Stip. ¶ 130 (citing 25 Pa.C.S. § 2753(a)).)

These dates also trigger responsibilities for Pennsylvania's sixty-seven counties. County boards of elections are responsible for providing ballots for primary and general elections. 25 Pa.C.S. § 2961. The county boards must prepare and print ballots in the form provided by the Election Code. 25 Pa.C.S. §§ 2962, 2963 and 2964. No later than forty days before an election, the county boards of elections must notify the county committees of each political party when and where voting machines may be inspected. 25 Pa.C.S. § 3011(c). But no later than fifty days prior to a primary, county boards are responsible for mailing absentee ballots to remote military-overseas ballots—hence the March 26, 2018 deadline above. 25 Pa.C.S. § 3146.5(a). In addition, county boards of

elections must receive absentee ballot applications no earlier than fifty days prior to an election and no later than the Tuesday prior to the election. 25 Pa.C.S. § 3146.2a(a). Until the Friday prior to the election, challenges may be made to the county board's approval of absentee ballot applications. 25 Pa.C.S. § 3146.2b(b). Meanwhile, county boards must display primary and general election ballots starting the Thursday prior to the election. 25 Pa.C.S. § 2968.

Ordering a new plan by February 15, 2018, requires moving and shortening the nomination petition circulation period. Indeed, on January 24, 2018, the Pennsylvania Department of State issued a notice that there will be a separate nomination petition filing process in Pennsylvania for congressional candidates. (See Exhibit A hereto.) Proper circulation of nomination petitions—the first event of the 2018 election calendar—takes significant effort by state and county government, candidates, and voters. Nomination petitions for Congress must include at least one thousand valid signatures of registered and enrolled members of the proper party. 25 Pa.C.S. § 2872.1(12). Candidates are well advised to obtain a number of signatures well over the required number to reduce the potential for objections to nomination petitions. *See In re Vodvarka*, 140 A.3d 639, 640–41 (Pa. 2016) (noting number of signatures challenged). The circulation of nomination petitions occur during Pennsylvania's winter, which at times prevents circulators from securing signatures or the cancelling of signature drives or events on certain days due to adverse and harsh weather conditions.

Moreover, ordering new congressional districts before or around the nomination petition circulation period would cause confusion among voters. Local political parties hold events to circulate nomination petitioners in February of an election year. Voters

have become familiar with congressional district boundaries and their congresspersons over the past three election cycles under existing districts. It would take substantial amount of time to educate voters of a change in political and election process, such as a change in congressional districts, similar to efforts to inform voters when their polling place changes at or near an election.

Changing congressional districts during the nomination petition circulation period could cause a higher risk that voters may sign a nomination petition for the wrong district. A voter may sign a nomination petition for only one candidate per office. 25 Pa.C.S. § 2868. Thus, if a voter is moved to a new congressional district and signs a nomination petition for her old district, not only is her signature invalid, but she cannot sign a second petition in her new district either, thereby effectively eliminating her rights. This could increase the number of objections to nomination petitions, thus increasing the burden on the courts and further delaying the identity of candidates for the primary election ballots.

Furthermore, the confusion the Pennsylvania Supreme Court's order to draw remedial maps would create for residents of Pennsylvania's current 18th Congressional District as a result of the ongoing special election in that is unparalleled. In its January 22, 2018 order, the Pennsylvania Supreme Court declared that "the March 13, 2018 special election for Pennsylvania's 18th Congressional District, which will fill a vacancy in an existing congressional seat for which the term of office ends in 11 months, shall proceed under the Congressional Redistricting Act of 2011 and is unaffected by this Order." (*See Federal Register*, Vol. 82. No. 220, 11/16/17 (announcing filing dates for Special Election in the 18th Congressional District) attached as Exhibit B hereto.)

However, if the Pennsylvania Supreme Court's order is not stayed, current residents of the 18th Congressional District would endure a scenario in which they are participating in an active election to elect their representative in Congress while also being asked to sign nominating petitions possibly for a new member of congress who could represent a reformed 18th Congressional District under new maps.

Implementing a new congressional map will cause voter confusion, force election administrators to act outside statutorily required deadlines, and impose added costs to state and county government and ultimately the taxpayers. In other words, a new districting plan will disrupt orderly state election processes and interfere with the normal operation of the election machinery.

### CONCLUSION

For the foregoing reasons, this Court should issue a stay the Pennsylvania Supreme Court's January 22, 2018 order pending this Court's resolution of the applicants' petition for certiorari.

Respectfully submitted on this 29th day in January, 2018,



Joel L. Frank  
*Counsel of Record*  
Scot R. Withers  
LAMB McERLANE PC  
24 East Market Street  
West Chester, PA 19321  
Phone: (610) 430-8000  
Facsimile: (610) 692-0877  
Email: jfrank@lambmcerlane.com  
swithers@lambmcerlane.com

*Counsel for Amicus Curiae  
Republican Party of Pennsylvania*

# **EXHIBIT A**



## IMPORTANT NOTICE REGARDING NOMINATION PETITION FILING

In light of the Supreme Court's ruling on Pennsylvania's Congressional Reapportionment Plan, nomination petition forms and instructions for the office of Representative in Congress are not available at this time.

The Department of State is making nomination petition forms available online for all candidates **EXCEPT CANDIDATES FOR REPRESENTATIVE IN CONGRESS.**

Candidates for Representative in Congress should check the Department of State's website for additional information in the coming weeks regarding the availability of nomination petition forms, as well as information about the revised schedule for circulating and filing nomination petitions for the office of Representative in Congress. **The Department will make nomination petition forms and instructions available for the office of Representative in Congress as soon as possible after a new Congressional Reapportionment Plan is approved.**

The dates and deadlines for nomination petition filing published in the 2018 Election Calendar apply **ONLY** to candidates for the following offices:

- United States Senator
- Governor
- Lieutenant Governor
- Senator in the General Assembly
- Representative in the General Assembly
- Democratic State Committee Member
- Republican State Committee Member

If you have any questions, please call the Bureau of Commissions, Elections and Legislation toll-free at 1-877-868-3772.

## HOW TO CREATE A PETITION PACKET

Candidates can easily create nomination petitions forms online using our [Candidate Survey](https://www.pavoterservices.pa.gov/Pages/officesurvey.aspx) (<https://www.pavoterservices.pa.gov/Pages/officesurvey.aspx>) webpage.

The online nomination petition forms streamline the login and petition review process to reduce the amount of time candidates spend waiting in line.

Candidates should save an electronic copy of their personalized nomination petition forms in the event they need to distribute additional forms to volunteers.

Because the petition forms are optimized for use with our electronic filing system, it is important that candidates carefully follow the instructions for printing and copying petition pages.

If you have questions about the Candidate Petition Form webpage, please contact the Department of State toll-free at 1-877-868-3772.

### **"Things You Will Need" Checklist**

- You must file with your nomination petition a completed and notarized Candidate's Affidavit
- You must file nomination petition page(s) with the required number of signatures for the office you are seeking
- You must file a copy of your Statement of Financial Interests, if applicable (not required for Federal or Political Party offices)
- You must file the original copy of your Statement of Financial Interests with the State Ethics Commission on or before the nomination petition filing deadline
- You must submit with your nomination petition a certified check or money order in the appropriate amount payable to the 'Commonwealth of Pennsylvania' (personal checks and cash cannot be accepted)
- You must submit with your nomination petition a certified check or money order in the appropriate amount payable to the 'Commonwealth of Pennsylvania' (personal checks and cash cannot be accepted)



PLEASE NOTE:

Petitions must be printed 2-sided on 8 ½ x 11" paper, head to head

Petition pages that are not printed 2-sided will not be accepted

Each petition page must be notarized after signatures are gathered

Signatures can be gathered only during the nomination petition circulation and filing period

Signatures that are dated before the first day to circulate or after the last day to circulate will not be counted

Remember to click the link on the petition form webpage to obtain the Statement of Financial Interests form

**Statewide and State Level Offices Eligible for Election in 2018**

U.S. Senate

Governor

Lt. Governor

\*Representative in Congress

Senator in the General Assembly

Representative in the General Assembly

Democratic State Committee

Republican State Committee

\* Nomination petition forms, instructions, circulation dates and deadlines for the office of Representative in Congress will be posted after a new Congressional Reapportionment Plan is approved.

**USEFUL LINKS**

[Create a personalized nomination petition form packet \(https://www.pavoterservices.pa.gov/Pages/officesurvey.aspx\)](https://www.pavoterservices.pa.gov/Pages/officesurvey.aspx)

[View a copy of the nomination petition instructions \(http://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Documents/2018%20Petition%20Filing/Petition%20Instructions%202018.PDF\)](http://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Documents/2018%20Petition%20Filing/Petition%20Instructions%202018.PDF)

[Frequently Asked Questions \(http://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Documents/2018%20Petition%20Filing/Candidate%27s%20Affidavit%20FAQ%202018.pdf\)](http://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Documents/2018%20Petition%20Filing/Candidate%27s%20Affidavit%20FAQ%202018.pdf)

["Things You Will Need" Checklist \(http://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Documents/2018%20Petition%20Filing/Things%20You%20Will%20Need%202018.pdf\)](http://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Documents/2018%20Petition%20Filing/Things%20You%20Will%20Need%202018.pdf)

**If you have any questions, please email [ra-elections@pa.gov](mailto:ra-elections@pa.gov) or call 717-787-5280.**

**LINKS**

[Candidate Database \(https://www.pavoterservices.state.pa.us/ElectionInfo/electioninfo.aspx\)](https://www.pavoterservices.state.pa.us/ElectionInfo/electioninfo.aspx)

[Election Administration Tools \(http://www.dos.pa.gov/VotingElections/OtherServicesEvents/Pages/Election-Administration-Tools.aspx\)](http://www.dos.pa.gov/VotingElections/OtherServicesEvents/Pages/Election-Administration-Tools.aspx)

[Election Calendar \(http://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Pages/Election-Calendar.aspx#\\_VH8zziROmUk\)](http://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Pages/Election-Calendar.aspx#_VH8zziROmUk)

# **EXHIBIT B**

*Filed Date:* 11/9/17.  
*Accession Number:* 20171109–5082.  
*Comments Due:* 5 p.m. ET 11/30/17.  
*Docket Numbers:* ER18–276–000.  
*Applicants:* Panda Hummel Station LLC.

*Description:* Baseline eTariff Filing: FERC Electric Tariff, Volume No. 1 (market-based rate application) to be effective 1/9/2018.

*Filed Date:* 11/9/17.  
*Accession Number:* 20171109–5094.  
*Comments Due:* 5 p.m. ET 11/30/17.

The filings are accessible in the Commission’s eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission’s Regulations (18 CFR 385.211 and § 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: November 9, 2017.

**Nathaniel J. Davis, Sr.,**  
*Deputy Secretary.*

[FR Doc. 2017–24795 Filed 11–15–17; 8:45 am]

**BILLING CODE 6717–01–P**

**FEDERAL ELECTION COMMISSION**

**[NOTICE 2017–13]**

**Filing Dates for the Pennsylvania Special Election in the 18th Congressional District**

**AGENCY:** Federal Election Commission.  
**ACTION:** Notice of filing dates for special election.

**SUMMARY:** Pennsylvania has scheduled a special general election on March 13, 2018, to fill the U.S. House of Representatives seat in the 18th Congressional District vacated by Representative Tim Murphy.

Committees required to file reports in connection with the Special General Election on March 13, 2018, shall file a 12-day Pre-General Report, and a 30-day Post-General Report.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elizabeth S. Kurland, Information Division, 999 E Street NW., Washington, DC 20463; Telephone: (202) 694–1100; Toll Free (800) 424–9530.

**SUPPLEMENTARY INFORMATION:**

**Principal Campaign Committees**

All principal campaign committees of candidates who participate in the Pennsylvania Special General Election shall file a 12-day Pre-General Report on March 1, 2018; and a Post-General Report on April 12, 2018. (See chart below for the closing date for each report.)

Note that these reports are in addition to the campaign committee’s regular quarterly filings. (See chart below for the closing date for each report).

**Unauthorized Committees (PACs and Party Committees)**

Political committees filing on a quarterly basis in 2018 are subject to special election reporting if they make

previously undisclosed contributions or expenditures in connection with the Pennsylvania Special General Election by the close of books for the applicable report(s). (See chart below for the closing date for each report.)

Committees filing monthly that make contributions or expenditures in connection with the Pennsylvania Special General Election will continue to file according to the monthly reporting schedule.

Additional disclosure information in connection with the Pennsylvania Special General Election may be found on the FEC Web site at <https://www.fec.gov/help-candidates-and-committees/dates-and-deadlines/>.

**Disclosure of Lobbyist Bundling Activity**

Principal campaign committees, party committees and Leadership PACs that are otherwise required to file reports in connection with the special elections must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of the lobbyist bundling disclosure threshold during the special election reporting periods (See chart below for closing date of each period.) 11 CFR 104.22(a)(5)(v), (b).

The lobbyist bundling disclosure threshold for calendar year 2017 is \$17,900. This threshold amount may increase in 2018 based upon the annual cost of living adjustment (COLA). Once the adjusted threshold amount becomes available, the Commission will publish it in the **Federal Register** and post it on its Web site. 11 CFR 110.17(e)(2). For more information on these requirements, see **Federal Register** Notice 2009–03, 74 FR 7285 (February 17, 2009).

**CALENDAR OF REPORTING DATES FOR PENNSYLVANIA SPECIAL GENERAL ELECTION**

Report	Close of books <sup>1</sup>	Reg./cert. & overnight mailing deadline	Filing deadline
<b>Committees Involved in the Special General (03/13/18) Must File</b>			
Pre-General .....	02/21/18	02/26/18	03/01/18
Post-General .....	04/02/18	04/12/18	04/12/18
April Quarterly .....	.....	—WAIVED—	.....
July Quarterly .....	06/30/18	07/15/18	07/15/18 <sup>2</sup>

<sup>1</sup> The reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered as a political committee up through the close of books for the first report due.

<sup>2</sup> Notice that this filing deadline falls on a weekend or federal holiday. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than registered, certified or overnight mail must be received by close of business on the last business day before the deadline.

Dated: November 3, 2017.

On behalf of the Commission,

**Steven T. Walther,**

*Chairman, Federal Election Commission.*

[FR Doc. 2017-24748 Filed 11-15-17; 8:45 am]

**BILLING CODE 6715-01-P**

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than December 15, 2017.

*A. Federal Reserve Bank of St. Louis* (David L. Hubbard, Senior Manager) P.O. Box 442, St. Louis, Missouri 63166-2034. Comments can also be sent electronically to [Comments.applications@stls.frb.org](mailto:Comments.applications@stls.frb.org):

1. *M&P Community Bancshares, Inc., 401(k) Employee Stock Ownership Plan, Newport, Arkansas*; to acquire additional voting shares, for a total of up to 38 percent, of M&P Community Bancshares, Inc., and thereby indirectly acquire Merchants & Planters Bank all of Newport, Arkansas.

Board of Governors of the Federal Reserve System, November 13, 2017.

**Michele Taylor Fennell,**

*Assistant Secretary of the Board.*

[FR Doc. 2017-24835 Filed 11-15-17; 8:45 am]

**BILLING CODE P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than November 29, 2017.

*A. Federal Reserve Bank of Dallas* (Robert L. Triplett III, Senior Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Ginne Cook Davis Trust under the Cook 2017 Children's Trust Agreement, Byron C. Cook, Trustee, and the Katie L. Cook Trust under the Cook 2017 Children's Trust Agreement, Byron C. Cook, Trustee, to join the Cook Family Group*, to retain voting shares of Community Bank Holdings of Texas, Inc. and thereby indirectly retain shares of Community National Bank & Trust of Texas, all of Corsicana, Texas.

Board of Governors of the Federal Reserve System, November 9, 2017.

**Yao-Chin Chao,**

*Assistant Secretary of the Board.*

[FR Doc. 2017-24739 Filed 11-15-17; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Board of Scientific Counselors, National Center for Health Statistics (BSC, NCHS)

**AGENCY:** Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, the CDC, announces the following meeting for BSC, NCHS. This meeting is open to the public; however, visitors must be processed in accordance with established federal policies and procedures. For foreign nationals or non-U.S. citizens, pre-approval is required (please contact Gwen Mustaf, 301-458-4500, [glm4@cdc.gov](mailto:glm4@cdc.gov), or Charles Rothwell, [cjr4@cdc.gov](mailto:cjr4@cdc.gov) at least 10 days in advance for requirements). All visitors are required to present a valid form of picture identification issued by a state, federal or international government. As required by the Federal Property Management Regulations, all persons entering in or on Federal controlled property and their packages, briefcases, and other containers in their immediate possession are subject to being x-rayed and inspected. Federal law prohibits the knowing possession or the causing to be present of firearms, explosives and other dangerous weapons and illegal substances. The meeting room accommodates approximately 78 people.

**DATES:** The meeting will be held on January 11, 2018, 11:00 a.m.–5:30 p.m., EDT, and January 12, 2018, 8:30 a.m.–1:00 p.m., EDT.

**ADDRESSES:** NCHS Headquarters, 3311 Toledo Road, Hyattsville, Maryland 20782.

**FOR FURTHER INFORMATION CONTACT:** Charles J. Rothwell, Director, NCHS/CDC, 3311 Toledo Road, Room 2627, Hyattsville, Maryland 20782, telephone (301) 458-4500, email [cjr4@cdc.gov](mailto:cjr4@cdc.gov).

#### SUPPLEMENTARY INFORMATION:

*Purpose:* This committee is charged with providing advice and making recommendations to the Secretary, Department of Health and Human Services; the Director, CDC; and the Director, NCHS, regarding the scientific and technical program goals and objectives, strategies, and priorities of NCHS.

*Matters to be Considered:* The agenda includes welcome remarks by NCHS