

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of February 24 - 28

COMMISSION MEETINGS AND HEARINGS

On February 25, the Commission held an executive session.

On February 28, the Commission held an open meeting. Click here for [agendas and related documents for open meetings](#). Click here for [audio recordings for selected meetings, hearings and presentations](#).

ADVISORY OPINIONS

Advisory Opinions Considered

[AOR 2013-18 \(Revolution Messaging, LLC\)](#). On February 27, the Commission discussed and voted on two draft advisory opinions based on a request from Revolution Messaging, LLC, but was unable to render an opinion by the required four affirmative votes. The requestor asked whether the proposed mobile phone banner advertisements were exempt from the disclaimer requirement of the Federal Election Campaign Act of 1971, as amended (the Act). During the discussion, the Commission heard from counsel and the requestor. Vice Chair Ann M. Ravel and Commissioners Steven T. Walther and Ellen L. Weintraub issued a [statement](#).

[AOR 2014-01 \(Solano County United Democratic Central Committee\)](#). On February 27, the Commission held over discussion of a [draft advisory opinion](#) based on a request from the Solano County Democratic Central Committee. The requestor asked whether it may use unreported funds remaining in the federal account of its predecessor committee.

Supplement Received

[AOR 2014-02 \(Make Your Laws PAC\)](#). On February 24, the Commission made public a [supplement](#) to Advisory Opinion Request 2014-02 from Make Your Laws PAC (MYL PAC). MYL PAC asks several questions related to its receipt, purchase, and disbursement of Bitcoins.

ENFORCEMENT

The Commission made public four closed cases and one Statement of Reasons, as follows. For more information, see the case documents in the [Enforcement Query System](#).

[MUR 6567](#)

COMPLAINANT: John K. Motsinger, Sr.

RESPONDENTS: Bruce Peller; and Bruce Peller for Congress and Paula Andrea Henao, in her official capacity as treasurer

SUBJECT: The complaint alleged that Bruce Peller for Congress and Henao, in her official capacity as treasurer, (the Committee) did not file a statement of organization, a statement of candidacy or a quarterly report. The complaint alleged further that the Committee did not include a proper disclaimer on its yard signs.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter in light of the fact that the Committee appears to have been misled by its former treasurer and took prompt remedial action, and in light of Commission resources.

[MUR 6720](#)

COMPLAINANT: Ronald Winter

RESPONDENTS: Christopher C. Healy; Jerry Labriola, Jr.; and Connecticut Republican State Central Committee and Gary Schaffrick, in his official capacity as treasurer

SUBJECT: The complaint alleged that the Connecticut Republican State Central Committee and Schaffrick, in his official capacity as treasurer, (the Committee) and its leaders, chairman and former treasurer Labriola and former chairman Healy, may have violated the Act by establishing an account under Section 527 of the Internal Revenue Code (the Healy Fund) purportedly used to solicit and accept funds from state sources to pay federal campaign debts, including a payment owed to the complainant. The complainant also alleged that the Committee failed to pay him for work allegedly performed on behalf of the Committee for the congressional campaign of Joseph Visconti.

DISPOSITION: The Commission found no reason to believe the Committee and Labriola violated the Act's prohibition on the use of non-federal funds to pay federal campaign debts because the available information suggested that (1) the Committee, not the Healy Fund, compensated the complainant and did so with federal funds, and (2) the Healy Fund, used to raise and spend non-federal money donations in connection with Healy's campaign to be re-elected chairman of the Committee, made no payments to the complainant. The Commission exercised its prosecutorial discretion and dismissed the allegation that Healy violated the prohibition on directing or soliciting donations to the Healy Fund in order to pay the Committee's debt to the complainant, in light of the low dollar amount at issue and an indication that the complainant was paid with federal funds. The Commission exercised its prosecutorial discretion and dismissed an allegation concerning the proper reporting of a debt to the complainant in light of the fact that the Committee settled the debt and in light of the amount at issue. The Commission sent a letter reminding the Committee of the reporting requirements concerning disputed debt.

[MUR 6739](#)

COMPLAINANT: FEC-Initiated and Self-Initiated

RESPONDENTS: Washington State Republican Party and Tom Perry, in his official capacity as treasurer

SUBJECT: In the normal course of carrying out its supervisory responsibilities, and as a result of a sua sponte submission by the Washington State Republican Party, the Commission learned that the Washington State Republican Party and Perry, in his official capacity as treasurer, (the Committee) misstated financial activity, including Levin Fund financial activity, and failed to accurately report receipts, disbursements, and cash-on-hand.

DISPOSITION: The Commission entered into a conciliation agreement providing for the Committee to pay a civil penalty of \$50,000.

[MUR 6756](#)

COMPLAINANT: FEC-Initiated

RESPONDENT: Winning Our Future and Brent A. Mudd, in his official capacity as treasurer

SUBJECT: In the normal course of carrying out its supervisory responsibilities, the Commission initiated proceedings to determine whether there was reason to believe that Winning Our Future and Mudd, in his official capacity as treasurer, failed to disclose all disbursements or to file 24-hour reports disclosing \$1,618,146.41 in a timely manner.

DISPOSITION: The Commission closed the file. Vice Chair Ravel and Commissioner Weintraub issued a [Statement of Reasons](#).

ALTERNATIVE DISPUTE RESOLUTION

The Commission made public six campaign finance enforcement matters that were resolved through its Alternative Dispute Resolution (ADR) program, as follows. For more information, see the case documents in the [Enforcement Query System](#).

[ADR 654](#) – Maragos4NY and Khaleda Malique, in her official capacity as treasurer. The respondent agreed to (1) work with Commission staff to terminate the Committee and (2) pay a civil penalty of \$5,000.

[ADR 656](#) – New York State Democratic Committee and John Gulino, in his official capacity as treasurer. The respondent agreed to (1) send a representative to an FEC conference, (2) develop and certify implementation of a compliance operations manual, and (3) pay a civil penalty of \$2,750.

[ADR 660](#) – Westsiders for Progress 2012 and Darrell L. Paster, in his official capacity as treasurer. The respondent agreed to work with Commission staff to terminate the Committee.

[ADR 662](#) – America's Next Generation LLC d/b/a The Next Generation and Lance Davis, in his official capacity as treasurer. The respondent agreed (1) to develop and certify implementation of a compliance operations manual and (2) pay a civil penalty of \$5,800.

[ADR 664](#) – North Carolina Republican Party and Jeffrey A. Morse, Jr., in his official capacity as treasurer. The respondent agreed to (1) send a representative to an FEC seminar, (2) develop and certify implementation of a compliance operations manual, and (3) pay a civil penalty of \$3,750.

[ADR 695](#) – Committee to Elect Joyce Dickerson for US Senate and Joyce Dickerson, in her official capacity as treasurer. The Commission dismissed the case.

COMMISSIONERS' STATEMENTS

On February 27, comments were filed by [Chairman Lee E. Goodman and Commissioners Caroline R. Hunter and Matthew S. Petersen](#) and by [Vice Chair Ravel and Commissioner Weintraub](#) in response to the Internal Revenue Service's Notice of Proposed Rulemaking on Guidance for Tax-Exempt Social Welfare Organizations on Candidate-Related Political Activities.

OUTREACH

On February 28, Vice Chair Ravel spoke on Mexico's recent political and electoral reforms at an event co-sponsored by the Atlantic Council and the Woodrow Wilson Center. Her comments related to lessons learned in the past few years about the U.S. campaign finance system, the significance of transparency in campaign finance, and parallels between the U.S. and Mexican campaign finance systems.

PRESS RELEASES

[FEC Discusses Advisory Opinion Request](#) (issued February 27)

UPCOMING COMMISSION MEETINGS

March 4: The Commission is scheduled to hold an [executive session](#).

March 6: The Commission is scheduled to hold an [open meeting](#).

UPCOMING REPORTING DUE DATES

March 20: March Monthly Reports are due. For more information on monthly reporting dates, refer to the [2014 Monthly Reporting page](#) of the Commission website.

April 15: April Quarterly Reports are due. For information on quarterly reporting dates, refer to the [2014 Quarterly Reporting page](#) of the Commission website.

April 20: April Monthly Reports are due. For more information on monthly reporting dates, refer to the [2014 Monthly Reporting page](#) of the Commission website.

UPCOMING EDUCATIONAL PROGRAMS

March 19, Federal Election Commission, Washington, D.C. Seminar/Webinar for House and Senate Campaigns and Party Committees. Additional information is available on the [Educational Outreach](#) page of the Commission website.

OTHER RESOURCES

The [2013 Legislative Recommendations](#) are available on the Commission's website.

The August 2013 edition of the [Federal Election Commission Campaign Guide for Political Party Committees](#) is available on the Commission's website.

The [2013 edition of the Combined Federal State Disclosure and Election Directory](#) is available in the [Public Records](#) section of the Commission website. This publication identifies the federal and state agencies responsible for the disclosure of campaign finances, lobbying, personal finances, public financing, candidates on the ballot, election results, spending on state initiatives and other financial filings.

The [Official 2012 Presidential General Election Results](#) are available in the [Library](#) section of the website. This listing was compiled from the official election results published by state election offices.

An [index to the Record news articles published in 2013](#) is available on the Commission website. The [Record](#) news page is available in the [Publications](#) section of the Commission website. [Sign up](#) to receive email notification when new articles are posted.

The [FEC Annual Reports from 1975-2006](#) are now available on the website. Beginning in 2007, the Commission consolidated its Annual Report with its [Performance and Accountability Report \(PAR\)](#) to provide a single account of the agency's activities for each fiscal year.

[Title 11 of the Code of Federal Regulations](#) can be downloaded from the website. To order printed copies, call (800) 424-9530 (press 6) or send an email to info@fec.gov.

[Instructional videos](#) are available on YouTube at <http://www.youtube.com/user/FECTube?feature=watch>. These videos are also available on the Commission's E-Learning resources page at <http://www.fec.gov/info/elearning.shtml>.

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