

# FEDERAL ELECTION COMMISSION

Press Office  
999 E Street, N.W., Washington, DC 20463  
Phone: 202-694-1220 Toll Free: 800-424-9530  
[www.fec.gov](http://www.fec.gov)



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Contact: Judith Ingram  
Julia Queen  
Christian Hilland

## **Weekly Digest** **Week of April 7 - 11**

### **COMMISSION MEETINGS AND HEARINGS**

No Commission open meetings or executive sessions were scheduled this week.

### **ENFORCEMENT**

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

#### [MUR 6454](#)

COMPLAINANT: Self-Initiated

RESPONDENTS: Evan H. Snapper; Patricia D. Cornwell; and Anchin, Block & Anchin LLP

SUBJECT: The accounting and business management firm Anchin, Block & Anchin LLP notified the Commission that Snapper, its former principal, had used funds of Cornwell, a former client, to reimburse contributions made by others to three campaign committees.

DISPOSITION: The Commission entered into a conciliation agreement providing for Snapper to pay a civil penalty of \$65,000. The Commission entered into a separate conciliation agreement providing for Cornwell to pay a civil penalty of \$6,500. The Commission closed the matter in connection with Anchin, Block and Anchin LLP.

#### [MUR 6717](#)

COMPLAINANT: Daniel Epstein, Executive Director, Cause of Action

RESPONDENTS: DNC Services Corporation/Democratic National Committee and Andrew Tobias, in his official capacity as treasurer

SUBJECT: The complaint alleged that the DNC Services Corporation/Democratic National Committee and Tobias, in his official capacity as treasurer, (DNC) failed to disclose the receipt of a contribution from or debt to the U.S. Department of Health and Human Services (HHS) for \$2,514.50 in travel costs of HHS Secretary Kathleen Sebelius and an aide to an event in 2012 where Sebelius gave a speech in which she expressly advocated the election of President Barack Obama.

The complaint alleged further that the DNC failed to disclose its payments of the \$2,514.50 to HHS as independent expenditures in view of Sebelius's express advocacy. The complaint also alleged that the DNC insufficiently disclosed the purpose of the payments at issue as "travel."  
DISPOSITION: The Commission found no reason to believe the DNC received or failed to disclose a contribution from HHS because the Federal Government and its authorities do not fall under the definition of a "person" that can make a contribution under the Federal Election Campaign Act of 1971, as amended, (the Act) or Commission regulations. The Commission exercised its prosecutorial discretion and dismissed the allegation that the DNC failed to disclose independent expenditures in light of the *de minimis* amount at issue. Finally, the Commission found no reason to believe the DNC failed to adequately disclose the purpose of the payments at issue because the Commission has identified "travel" as an adequate purpose in its regulation and its Statement of Policy on the purpose of disbursement entries.

#### [MUR 6726](#)

COMPLAINANTS: Public Citizen; Oil Change International; Friends of the Earth-US; and Greenpeace USA

RESPONDENTS: Chevron Corporation; Chevron U.S.A., Inc.; and Congressional Leadership Fund and Caleb Crosby, in his official capacity as treasurer

SUBJECT: The complaint alleged that Chevron Corporation (Chevron) or its subsidiary Chevron U.S.A., Inc. (Chevron U.S.A.) made a prohibited contribution as a federal contractor and that the Congressional Leadership Fund and Crosby, in his official capacity as treasurer, (CLF) knowingly solicited a prohibited contribution from Chevron or Chevron U.S.A.

DISPOSITION: The Commission found no reason to believe that Chevron or Chevron U.S.A. made, or CLF solicited, a prohibited contribution because the available information indicates that (1) Chevron was the entity that made the contribution in question, (2) Chevron was not a federal contractor at the time it made the contribution, and (3) Chevron and Chevron U.S.A. appear to be separate and distinct legal entities.

#### [MUR 6757](#)

COMPLAINANT: FEC-Initiated

RESPONDENTS: Gillibrand for Senate and Karen Feldman, in her 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 Gillibrand for Senate and Feldman, in her official capacity as treasurer, (the Committee) failed to disclose accurately a total of \$12,124.00 in receipts and \$229,478.83 in disbursements in 10 disclosure reports filed during the 2010 and 2012 election cycles.

DISPOSITION: The Commission entered into a conciliation agreement providing for the Committee to pay a civil penalty of \$8,000.

## ALTERNATIVE DISPUTE RESOLUTION

The Commission made public five 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 651](#) – Montanans for Rehberg and Lorna Kuney, in her official capacity as treasurer. The respondent agreed to (1) send a representative to an FEC conference, (2) perform an internal audit and reconciliation for reports filed in calendar year 2014, and (3) pay a civil penalty of \$3,250.

[ADR 658](#) – National Right to Life Victory Fund and Joseph M. Landrum, in his official capacity as treasurer. The respondent agreed to (1) develop and certify implementation of a compliance operations manual, (2) send a representative to an FEC conference, and (3) pay a civil penalty of \$5,156.

[ADR 665](#) – Friends of Herman Cain, Inc. and Mark J. Block, in his official capacity as treasurer. The respondent agreed to (1) provide verification of the disgorgement to the U.S. Treasury of all refunds received relevant to this referral and (2) pay a civil penalty of \$19,000.

[ADR 666](#) – Mississippi Democratic Party PAC and Ryan Brown, in his official capacity as treasurer. The respondent agreed to (1) develop and certify implementation of a compliance operations manual, (2) send a representative to an FEC conference, and (3) pay a civil penalty of \$1,150.

[ADR 670](#) – North Dakota Republican Party and Shane Goettle, in his official capacity as treasurer. The respondent agreed to (1) develop and certify implementation of a compliance operations manual, (2) send a representative to an FEC conference, and (3) pay a civil penalty of \$5,000.

## LITIGATION

[Free Speech v. FEC](#) (Case 13-8033). On April 7, the Solicitor General filed a [Brief](#) for the Respondent in Opposition to the Petitioner’s Writ of Certiorari with the United States Supreme Court.

[James v. FEC](#) (Case 12-683). On April 7, the United States Supreme Court issued a [Summary Disposition](#).

[Public Citizen, et al. v. FEC](#) (Case 1:14-cv-00148-RJL). On April 8, the Commission filed its [Answer](#) to the complaint in the United States District Court for the District of Columbia.

## COMMISSIONERS’ STATEMENTS

On April 10, Chairman Lee E. Goodman and Commissioners Caroline R. Hunter and Matthew S. Petersen issued a [Statement](#).

## **UPCOMING COMMISSION MEETINGS**

April 22: The Commission is scheduled to hold an [executive session](#).

April 23: The Commission is scheduled to hold an [open meeting](#).

## **UPCOMING REPORTING DUE DATES**

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**

April 30, Federal Election Commission, Washington, D.C. Seminar/Webinar for Corporations and their PACs. Additional information is available on the [Educational Outreach](#) page of the Commission website.

May 21, Federal Election Commission, Washington, D.C. Seminar/Webinar for Trade Associations, Labor Organizations, Membership Organizations and their PACs. Additional information is available on the [Educational Outreach](#) page of the Commission website.

## **OTHER RESOURCES**

The [2014 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 2014 edition of [Title 11 of the Code of Federal Regulations](#) can be downloaded from the website.

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 [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.

[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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