

# FEDERAL ELECTION COMMISSION

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## Weekly Digest Week of June 9 – 13

### COMMISSION MEETINGS AND HEARINGS

On June 10, the Commission held an executive session.

On June 12, the Commission held an open audit hearing on [Canseco for Congress](#).

On June 12, 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 Opinion Considered

[AOR 2014-04 \(Enterprise Holdings, Inc.\)](#). On June 12, the Commission discussed [two draft Advisory Opinions and a draft closeout letter](#) in response to a request from Enterprise Holdings, Inc., and held over further discussion and a vote until the next open meeting on June 26. The requestor asked whether the Federal Election Campaign Act of 1971, as amended, (the Act) and Commission regulations preempted New York state law regarding the requestor's use of payroll deductions to process voluntary contributions to its separate segregated fund, insofar as the New York state law applies to such deductions. During the discussion, the Commission heard from counsel on behalf of the requestor.

### ENFORCEMENT

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

## [MUR 6642](#)

COMPLAINANT: Minnesota Democratic Farmer Labor Party

RESPONDENT: Christopher Kauffman

SUBJECT: The complaint alleged that an unknown person or persons paid for and displayed a billboard advertisement referring to United States Senator Amy Klobuchar without the required disclaimer identifying who paid for the ad. The complaint also alleged that the unknown persons responsible for the ad may have triggered political committee status and may have been required to file disclosure reports with the Commission.

DISPOSITION: The Commission found reason to believe that unknown respondents failed to identify the person or persons who paid for the advertisement at issue. The Commission authorized an investigation that revealed that Kauffman had paid \$3,000 for production and display of the billboard ad, and determined that Kauffman failed to include a proper disclaimer in the ad and failed to file an independent expenditure report. Based on the totality of the circumstances, however, the Commission took no further action in light of the small amount at issue and because the matter appears to have stemmed from an isolated act by an individual inexperienced in making independent expenditures and acting in his individual capacity. The Commission also found no reason to believe that Kauffman failed to register and report as a political committee. The Commission sent a letter of caution, reminding Kauffman of the Commission's requirements concerning disclaimers and the reporting of independent expenditures.

## **ADMINISTRATIVE FINES**

The Commission made public one campaign finance enforcement matter that was resolved through its Administrative Fines (AF) program, as follows. For more information, see the case documents in the Enforcement Query System.

[AF 2502](#) – Afghanistan & Iraq Veterans for Congress PAC and Christopher Covucci, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$4,812.

## **ALTERNATIVE DISPUTE RESOLUTION**

The Commission made public four 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 667](#) – Democratic Party of South Carolina and Allison B. Bullard, in her official capacity as treasurer. The respondent agreed to (1) develop and certify implementation of a compliance operations manual, (2) certify that a representative of the Committee participated in an FEC conference, (3) develop and certify implementation of a quarterly compliance update training program, and (4) pay a civil penalty of \$7,250.

[ADR 671](#) – National Association of Realtors Congressional Fund and Michael C. McGrew, in his official capacity as treasurer. The respondent agreed to (1) certify implementation of compliance operations procedures and internal controls, (2) perform reconciliations of bank statements, ledgers and reports and certify that all reconciliations were performed in a timely manner during calendar year 2014, and (3) pay a civil penalty of \$13,000.

[ADR 673](#) – Nolan for Congress Volunteer Committee and James A. Dechaine, in his official capacity as treasurer. The respondent agreed to (1) retain an outside consultant to review compliance procedures and train staff, (2) perform a financial reconciliation of reports and provide certification of review, and (3) pay a civil penalty of \$5,250.

[ADR 675](#) – Democratic Party of Illinois and Michael Kasper, in his official capacity as treasurer. The respondent agreed to (1) certify that an outside consultant was retained to review and revise the Committee’s compliance operations manual and provide training regarding Levin funds and (2) pay a civil penalty of \$4,500.

## **LITIGATION**

[Center for Competitive Politics v. FEC](#) (Case 1:14-cv-00970). On June 9, the Center for Competitive Politics filed a [Complaint for Declaratory Judgment and Injunctive Relief](#) in the United States District Court for the District of Columbia. The complaint challenges the Commission’s denial of the Plaintiff’s Freedom of Information Act request.

[Rufer, et al. v. FEC](#) (Case 1:14-cv-00837-CRC). On June 11, the Commission filed its [Opposition to the Plaintiffs’ Motion for Preliminary Injunction](#) in the United States District Court for the District of Columbia.

## **OUTREACH**

On June 11, Commissioner Caroline C. Hunter discussed ethical leadership and campaign finance at the Women's Campaign School at Yale.

## **PRESS RELEASES**

[FEC Discusses Advisory Opinion Request and Holds Audit Hearing](#) (issued June 12)

## **UPCOMING COMMISSION MEETINGS**

June 24: The Commission is scheduled to hold an [executive session](#).

June 26: The Commission is scheduled to hold an [open meeting](#).

## **UPCOMING REPORTING DUE DATES**

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

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

July 20: July 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**

June 19, Federal Election Commission, Washington, D.C. Webinar on July Quarterly Reporting for Candidate Committees.

June 19, Federal Election Commission, Washington, D.C. Webinar on FECFile for Candidate Committees.

June 25, Federal Election Commission, Washington, D.C. Webinar on July Quarterly Reporting for PACs and Party Committees.

June 25, Federal Election Commission, Washington, D.C. Webinar on FECFile for PACs and Party Committees.

## **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. To order printed copies, call (800) 424-9530 (press 6) or send an email to [info@fec.gov](mailto:info@fec.gov).

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 Record news articles published 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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