

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of August 4 – 8

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 6560](#)

COMPLAINANT: David Krikorian

RESPONDENT: Victory Ohio SuperPAC

SUBJECT: The complaint alleged that Victory Ohio SuperPAC failed to file one or more independent expenditure reports, include a complete disclaimer in robocalls and register with and report to the Commission as a political committee.

DISPOSITION: The Commission found reason to believe Victory Ohio SuperPAC violated the independent reporting and disclaimer provisions of the Federal Election Campaign Act of 1971, as amended (the Act), and Commission regulations in connection with robocalls it made to voters and it authorized a limited investigation. The Commission decided to take no further action in the matter in light of the fact that it was unable to identify the individual or individuals responsible for Victory Ohio SuperPAC and in consideration of Commission priorities.

[MUR 6653](#)

COMPLAINANT: Debora Stalego

RESPONDENTS: GOTTA VOTE!

SUBJECT: The complaint alleged that GOTTA VOTE! failed to include a disclaimer on a mailer prior to the 2012 presidential election that expressly advocated the election of President Obama and the Democratic Party in violation of the Act and Commission regulations.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter in light of the limited information available to determine whether the mailer qualified as a public

communication under the Act and the unlikelihood that further investigation would determine the person or group responsible for the mailer.

[MUR 6674](#)

COMPLAINANT: Preston Elliott on behalf of Montanans for Tester

RESPONDENTS: Montanans for Rehberg and Lorna Kuney, in her official capacity as treasurer; Dennis Rehberg; Ted P. Beck; and Vicki E. Beck

SUBJECT: The complaint alleged that Rehberg; and Montanans for Rehberg and Kuney, in her official capacity as treasurer (the Committee) accepted excessive in-kind contributions when the Becks permitted their bus to be used in connection with campaign events and covered related expenses in violation of the Act and Commission regulations. Rehberg was a 2012 candidate for United States Senate from the state of Montana.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the allegation that the Committee accepted and the Becks made excessive in-kind contributions in light of the difficulty in determining the market value of renting a bus similar to the one owned by the Becks, the lack of detail in how the parties arrived at their valuations for the bus and in consideration of Commission priorities. The Commission found no reason to believe Rehberg violated the Act or Commission regulations as it does not appear that he was personally involved in the transaction at issue.

[MUR 6734](#)

COMPLAINANTS: Citizens for Responsibility and Ethics in Washington and Melanie Sloan; Campaign Legal Center and Paul S. Ryan

RESPONDENTS: John Canning; Jeffrey Hurt; Donald Simms; Susan Simms; David Wallace; Robert Reynolds; David Boies; Thomas Cushman; Joe Murphy; Thomas Fay; Thomas Girardi; Amy Goldman; John Harris; David Herro; Carl A. Davis; Kurt Wheeler; Vincent Mai; Prem Reddy; Robert Beal; Richard Uihlein; Philip Geier; L. Scott Frantz; John Cooney; Elizabeth Wiskemann; Edward Donaghy; Michael Keiser; John Roeser; Josephine Freede; Don Scifres; Timothy Travis; William Smithburg; and Alan Sieroty

SUBJECT: The complaint alleged that 32 individuals had exceeded the \$42,600 aggregate biennial limit for contributions to candidate committees during the 2012 election cycle.

DISPOSITION: The Commission dismissed the matter in light of the fact that on April 2, 2014, in *FEC v. McCutcheon*, the United States Supreme Court held that the aggregate biennial contribution limits do not further the government's interest in preventing actual or apparent *quid pro quo* corruption.

AUDITS

[Final Audit Report on Buddy Roemer for President, Inc. \(BRFP\)](#). On August 4, the Commission made public the Final Audit Report on Buddy Roemer for President, Inc., covering campaign finance activity between February 28, 2011 and March 31, 2014. The Commission approved findings that (1) the candidate did not receive matching funds in excess of his entitlement, and (2) BRFP failed to disclose debts and obligations totaling \$42,097.

LITIGATION

[RNC, et al. v. FEC](#) (Case 1:14-cv-00853-CRC). On August 4, the Commission filed its

[Answer to Plaintiffs' Complaint](#) in the United States District Court for the District of Columbia. On August 6, the plaintiffs filed an [Opposition to the Commission's Rule 56\(d\) Motion](#). On August 7, the plaintiffs filed a [Reply Memorandum in Support of their Motion for Summary Judgment](#).

[Stop This Insanity, Inc., et al. v. FEC](#) (Case 13-5008). On August 5, the United States Court of Appeals for the District of Columbia Circuit issued its [Opinion](#) and [Judgment](#), affirming the district court's dismissal of the complaint.

PRESS RELEASES

[Court of Appeals Issues Opinion in Stop This Insanity, Inc. Employee Leadership Fund v. FEC](#) (issued August 5)

UPCOMING COMMISSION MEETINGS

August 14: The Commission is scheduled to hold an [open meeting](#).

August 26: The Commission is scheduled to hold an [executive session](#).

These meeting dates are subject to change. Please contact the Press Office the week of the scheduled meeting for confirmation.

UPCOMING EDUCATIONAL PROGRAMS

August 21, 2014, Federal Election Commission, Washington, DC. Roundtable/Webinar on Pre-Election Communications. Additional information is available on the [Educational Outreach](#) page of the Commission website.

UPCOMING REPORTING DUE DATES

August 20: August Monthly Reports are due. For more information on monthly reporting dates, refer to the [2014 Monthly Reporting 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. To order printed copies, call (800) 424-9530 (press 6) or send an email to info@fec.gov.

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

The 2014 edition of the [Federal Election Commission Campaign Guide for Congressional Candidates and Committees](#) is now 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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