

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of August 18 – 22

COMMISSION MEETINGS AND HEARINGS

No Commission open meetings or executive sessions were scheduled this week

ADVISORY OPINIONS

Advisory Opinion Request

[AOR 2014-12 \(DNC/RNC\)](#). On August 22, the Commission made public [Advisory Opinion Request 2014-12](#). The requestors, the Democratic National Committee and the Republican National Committee, ask whether, in light of recent legislation removing the national party committees' entitlement to public financing for presidential nominating conventions, each may raise federal funds under a separate contribution limit for its separate convention committee or for deposit in a segregated account of the national party committee to finance the 2016 presidential nominating conventions. The Commission must issue a response no later than 60 days after receipt of the complete request, or specifically by October 14, 2014.

ENFORCEMENT

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

[MUR 6475](#)

COMPLAINANT: FEC-Initiated; and LoBiondo for Congress

RESPONDENT: Andrew J. McCrosson, Jr.

SUBJECT: In the normal course of carrying out its supervisory responsibilities and based on information contained in a complaint, the Commission initiated proceedings to determine whether there was reason to believe that McCrosson (1) converted contributions to a federal candidate for personal use; (2) filed false reports with the Commission; and (3) failed to accurately keep an account of and disclose disbursements and cash-on-hand balances.

DISPOSITION: The Commission found reason to believe McCrosson knowingly and willfully violated the Federal Election Campaign Act of 1971, as amended (the Act). The Commission agreed to accept a conciliation agreement that does not provide for payment of a civil penalty due to McCrosson's demonstration of financial hardship but (1) does contain admissions of violations and (2) prohibits him from working or volunteering for federal political committees in a capacity involving the committee's fundraising or finances for 10 years.

[MUR 6750](#)

COMPLAINANT: Guillermo Cabrera

RESPONDENTS: Carl DeMaio for Congress and Paul Kilgore, in his official capacity as

treasurer; Reform San Diego with Carl DeMaio f.k.a. Reform San Diego; and Carl DeMaio

SUBJECT: The complaint alleged that Reform San Diego with Carl DeMaio f.k.a. Reform San Diego (RSD), a city-registered committee founded by DeMaio to support local ballot measures, solicited, received or directed funds outside the federal source restrictions and used those funds to make excessive, in-kind contributions for DeMaio's exploration of a federal candidacy.

DeMaio is a 2014 candidate for California's 52nd Congressional District.

DISPOSITION: The Commission found no reason to believe that funds spent by RSD were to test the waters of a federal candidacy by DeMaio based on the available information indicating that the expenditures in question were all for the purpose of promoting RSD's ballot measure activity.

ADMINISTRATIVE FINES

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

[AF 2749](#) – Beale for Congress and Steven R. Burris, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$4,950.

[AF 2750](#) – Jesse Jackson Jr. for Congress and Office of Treasurer. The Commission made a final determination and assessed a civil penalty of \$8,937.

[AF 2756](#) – Beale for Congress and Steven R. Burris, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$330.

[AF 2757](#) – Jesse Jackson Jr. for Congress and Office of Treasurer. The Commission made a final determination and assessed a civil penalty of \$8,937.

[AF 2774](#) – Commercial Real Estate Finance Council PAC and Stephen Renna, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$340.

[AF 2775](#) – David M. Alameel for United States Senate and David Pulling, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$6,700.

[AF 2780](#) – Jim Rubens for US Senate and Jeff Postupack, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$560.

[AF 2786](#) – Al Green for Congress and William A. Lawson, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$495.

[AF 2787](#) – John Amdur for Congress and Ron Swofford, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$1,400.

ALTERNATIVE DISPUTE RESOLUTION

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

[ADR 705](#) – Rand Paul for US Senate 2010 and Kevin Broghamer, in his official capacity as treasurer. The respondent agreed to (1) certify the closure of the Committee’s federal account and work with Commission staff to terminate its political committee status and reporting obligations with the Commission and (2) pay a civil penalty of \$9,500.

LITIGATION

[Combat Veterans for Congress PAC v. FEC](#) (Case 13-5358). On August 19, appellants filed a [Corrected Brief](#) in the United States Court of Appeals for the District of Columbia Circuit.

[Holmes, et al. v. FEC](#) (Case 1:14-cv-01243-RMC). On August 20, Laura Holmes and Paul Jost filed a [Motion for Preliminary Injunction](#).

[McCutcheon, et al. v. FEC](#) (Case 1:12-cv-01034-JEB-JRB-RLW). On August 15, the United States District Court for the District of Columbia issued an [Order and Final Judgment](#).

[Parsons, et al. v. FEC](#) (Case 1:14-cv-01265). On August 21, the United States District Court for the District of Columbia issued a [Memorandum Opinion and Order](#) in [Parsons, et al. v. FEC](#), denying without prejudice plaintiffs’ Motion to Certify Facts and Constitutional Questions to the *en banc* Court of Appeals.

[Rufer, et al. v. FEC](#) (Case 1:14-cv-00837-CRC) and [Republican National Committee, et al., v. FEC](#) (Case 1:14-cv-00853-CRC). On August 20, the United States District Court for the District of Columbia issued a [Memorandum Opinion](#) and Orders denying the plaintiffs' applications for three-judge courts and finding the cases appropriate for certification to the *en banc* Court of Appeals. The Court denied without prejudice the plaintiffs' motion for summary judgment, and denied the plaintiffs' motion for expedition and the defendant's motion for discovery in [RNC, et al. v. FEC](#). The Court denied the motion for preliminary injunction by plaintiffs in [Rufer, et al. v. FEC](#).

LEGAL DEVELOPMENTS

The Office of Law Revision Counsel to the United States House of Representatives has recently announced an editorial reclassification in the United States Code to create a new Title 52, Voting and Elections. Among other provisions, the Act will be recodified from its current location in Title 2 to the new Title 52. The recodification is scheduled to take effect on September 1, 2014. Further information about the Act's transition to Title 52 will be provided in the future.

EDUCATIONAL PROGRAMS

On August 21, the Commission hosted a *Roundtable/Webinar on Pre-Election Communications*.

CAMPAIGN FINANCE REPORTS

August 20: August Monthly Reports were due.

OUTREACH

On August 20, Chairman Lee E. Goodman discussed the work of the Commission with a group of private sector and government leaders from Africa as part of the State Department's International Visitor Leadership Program.

On August 21-22, Vice Chair Ann M. Ravel participated in a panel discussion on the use of technology to regulate election campaigns and monitor political party financing during the International Seminar on "Elections and Technology" in the Dominican Republic.

IT INITIATIVES

On August 18, the FEC posted an [overview](#) of resources offered to the media on the FEC's YouTube channel, FECTube. The video highlights some of the information available on the Press Office web page and describes some of the services the agency offers to reporters.

PRESS RELEASES

[FEC Cites Committee for Failure to File 12-Day Pre-Primary Financial Report](#) (issued August 15)

[FEC Cites Committee for Failure to File 12-Day Pre-Primary Financial Report](#) (issued August 19)

[District Court Issues Memorandum Opinion and Orders in *Rufer, et al. v. FEC and RNC, et al. v. FEC*](#) (issued August 20)

[FEC Cites Committees for Failure to File 12-Day Pre-Primary Financial Report](#) (issued August 22)

UPCOMING EVENTS

[Public Forum on Website Improvement](#). Chairman Lee E. Goodman and Vice Chair Ann M. Ravel announced the Public Forum on Website Improvement, scheduled for September 17. In partnership with 18F, a newly formed organization within the General Services Administration (GSA), the FEC has launched a website redesign effort to improve the public's access to campaign finance data, guidance and regulations, and filing information.

UPCOMING COMMISSION MEETINGS

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

September 9: The Commission is scheduled to hold an [executive session](#).

September 11: The Commission is scheduled to hold an [open meeting](#).

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

UPCOMING REPORTING DUE DATES

September 20: September 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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