

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of September 29 – October 3

COMMISSION MEETINGS AND HEARINGS

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

ADVISORY OPINIONS

Advisory Opinion Issued

[AO 2014-11 \(Health Care Service Corporation Employees' PAC\)](#). On October 2, the Commission issued an advisory opinion in response to a request from Health Care Service Corporation Employees' PAC (the Committee). The Commission concluded that the Committee is no longer affiliated with Blue Cross and Blue Shield Association's separate segregated fund.

Drafts

[AO 2014-12 \(DNC/RNC\)](#). On October 3, the Commission made public [two drafts](#) of Advisory Opinion 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. Comments on the drafts are due by noon on October 8.

[AO 2014-14 \(Trammell\)](#). On September 26, the Commission made public [two drafts](#) of Advisory Opinion 2014-14. Professor Jack Trammell is a candidate for the United States House of Representatives, and he asks whether his employer, Randolph-Macon College, may continue to pay its share of his fringe benefits while he is on unpaid leave in order to campaign.

[AO 2014-15 \(Brat\)](#). On September 26, the Commission made public [two drafts](#) of Advisory Opinion 2014-15. Professor David Brat is a candidate for the United States House of

Representatives, and he asks whether his employer, Randolph-Macon College, may continue to pay its share of his fringe benefits while he is on unpaid leave in order to campaign.

Request Received

[AOR 2014-16 \(Connecticut Democratic State Central Committee\)](#). On October 2, the Commission made public Advisory Opinion Request 2014-16. The requestor, the Connecticut Democratic State Central Committee, asks whether a proposed mailing is “federal election activity” and if so, if state law concerning allocation of federal election activity costs is preempted by federal law. The Committee requests expedited consideration of its Advisory Opinion Request pursuant to the Commission’s [Advisory Opinion Procedure](#). The Commission must issue a response no later than 60 days after the receipt of the complete request, that is, by December 1, 2014.

ENFORCEMENT

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

MUR 6660

COMPLAINANT: Charles M. Webster

RESPONDENTS: Angus King for U.S. Senate Campaign and S. Catherine Longley, in her official capacity as treasurer; Angus King; Americans Elect; and Eliot Cutler

SUBJECT: The complaint alleged that Americans Elect, a group formed under Section 501(c)(4) of the Internal Revenue Code, failed to register with and report to the Commission as a political committee because it aired more than \$500,000 in television advertisements expressly advocating King’s election. The complaint alleged further that one of the advertisements at issue was coordinated between Americans Elect and Angus King for U.S. Senate Campaign and Longley, in her official capacity as treasurer (the Committee), because Cutler held positions concurrently with both Americans Elect and the Committee. King was a 2012 candidate for Maine’s United States Senate seat.

DISPOSITION: The Commission found no reason to believe Americans Elect failed to register and report as a political committee because the available information indicated that the group’s major purpose was not the nomination and election of particular federal candidates. The Commission also found no reason to believe coordination occurred because the record indicates that the activity at issue did not satisfy the conduct prong of the coordination regulations.

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 2778](#)– GrayRobinson, P.A., Political Action Committee and J. Charles Gray, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$1,090.

LITIGATION

[*Center for Competitive Politics v. FEC*](#) (Case 1:14-cv-00970-RBW). On September 29, Commission filed a [Reply in Support of Its Motion for Summary Judgment](#) in the United States District Court for the District of Columbia.

[*Combat Veterans for Congress PAC v. FEC*](#) (Case 13-5358). On September 30, Appellants filed the attached [Reply Brief](#) in the United States Court of Appeals for the District of Columbia Circuit.

[*FEC v. Craig for U.S. Senate, et al.*](#) (Case 1:12-cv-00958-ABJ). On September 30, the United States District Court for the District of Columbia issued its [Memorandum Opinion](#) and [Order](#), awarding summary judgment to the Commission.

[*Holmes, et al. v. FEC*](#) (Case 1:14-cv-01243-RMC). On September 29, the Commission filed an [Answer to the Complaint for Declaratory Relief](#) in the United States District Court for the District of Columbia.

[*Independence Institute v. FEC*](#) (Case 1:14-cv-01500-CKK). On September 26, the plaintiff filed a [Reply Brief in Support of Plaintiff's Motion for a Preliminary Injunction](#) in the United States District Court for the District of Columbia.

[*Wagner v. FEC*](#) (Case 13-5162). On September 30, the United States Court of Appeals for the District of Columbia Circuit heard oral argument.

OUTREACH

On October 2, Commissioner Ellen L. Weintraub participated in a discussion with former Commissioner Brad Smith on “The Future of Campaign Finance Reform.” The event was held at Ohio State University, and was sponsored by the school's chapters of the American Constitution Society and the Federalist Society, as well as the Moritz Election Law Society.

EDUCATIONAL PROGRAMS

On October 1, the Commission held a *Webinar on October Quarterly Reporting for Candidate Committees*.

On October 1, the Commission held a *Webinar on FEC Filing for Candidate Committees*.

PUBLIC DISCLOSURE

On October 2, the Commission's Office of Inspector General (OIG) made public its [Fiscal Year 2015 Work Plan](#).

FEDERAL REGISTER

On October 2, the Commission published the [Notice of Availability on Amendment to 11 C.F.R. 100.4](#) in the Federal Register. Comments may be submitted on or before November 3, 2014.

PRESS RELEASES

[District Court Issues Memorandum Opinion and Order in *FEC v. Craig for U.S. Senate*](#) (issued September 30)

[FEC Approves Advisory Opinion](#) (issued October 3)

UPCOMING COMMISSION MEETINGS

October 7: The Commission is scheduled to hold an [executive session](#).

October 9: 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 EDUCATIONAL PROGRAMS

October 8, 2014, Federal Election Commission, Washington, DC. *Webinar and In-Person Workshop on October Reporting for PACs and Party Committees*. Additional information is available on the [Educational Outreach](#) page of the Commission website.

October 8, 2014, Federal Election Commission, Washington, DC. *Webinar and In-Person Workshop on FEC Filing for PACs and Party Committees*. Additional information is available on the [Educational Outreach](#) page of the Commission website.

UPCOMING REPORTING DUE DATES

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

October 20: October 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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