

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of November 3 – 7

COMMISSION MEETINGS AND HEARINGS

On November 6, the Commission held an [open meeting](#), followed by an [executive session](#).

ADVISORY OPINION

Advisory Opinion Issued

[AO 2014-17 \(Berkadia\)](#). On November 6, the Commission concluded that Berkadia may authorize a trade association of which it is a member to solicit Berkadia's administrative and executive personnel because Berkadia is wholly owned by two corporations and is affiliated with each of them. Counsel on behalf of the requestor was present at the meeting.

Request Received

[AOR 2014-18 \(RYAM\)](#). On November 4, the Commission made public Advisory Opinion Request 2014-18, submitted by Rayonier Advanced Materials Inc. ("RYAM"). The requestor, a corporation recently spun off from Rayonier, Inc., asks if its separate segregated fund is now disaffiliated from Rayonier Inc.'s separate segregated fund. The Commission must issue a response no later than 60 days after receipt of the complete request, that is, by December 23, 2014.

ENFORCEMENT

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

[MUR 6735](#)

COMPLAINANT: Rob Gleason, Chairman, Republican Party of PA

RESPONDENTS: Joseph A. Sestak; and Friends of Joe Sestak and Edwin Wee, in his official capacity as treasurer, f/k/a Sestak for Senate and Margaret Infantino, in her official capacity as treasurer

SUBJECT: The complaint alleged that Sestak and Friends of Joe Sestak and Wee, in his official capacity as treasurer, f/k/a Sestak for Senate and Infantino, in her official capacity as treasurer, failed to file a Statement of Candidacy within 15 days of Sestak's becoming a federal candidate.

DISPOSITION: The Commission entered into a conciliation agreement providing for Sestak to pay a civil penalty of \$500.

ADMINISTRATIVE FINES

The Commission made public two 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 2796](#) – Democracy Engine, Inc., PAC and Jonathan Zucker, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$4,950.

[AF 2801](#) – Patriot Super PAC and Thomas Freiling, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$260.

ALTERNATIVE DISPUTE RESOLUTION

The Commission made public two 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 708](#) – Marsh & McLennan Companies, Inc., Alex Moczarski, and the Marsh & McLennan Companies, Inc. PAC and Karen A. Farrell, in her official capacity as treasurer (the Committee). The respondent agreed to (1) certify that the Committee developed and circulated a policy on the eligibility and limitations on contributions to the Committee, (2) certify that the Committee designated a compliance specialist, (3) certify that a representative participated in an FEC conference, and (4) pay a civil penalty of \$3,000.

[ADR 712](#) – John Stacy for U.S. Congress and Ella Parker, in her official capacity as treasurer (the Committee), and Temperature Control Systems, Inc. (TCS). The respondents agreed that (1) TCS will certify that it developed and circulated a corporate policy on political contributions, (2) TCS will pay a civil penalty of \$750, (3) the Committee will develop and certify implementation of a compliance operations manual, and (4) the Committee will pay a civil penalty of \$750.

AUDITS

[Audit Division Recommendation Memorandum on the Joe Walsh for Congress Committee, Inc.](#)

On November 6, the Commission approved the Audit Division Recommendation Memorandum on the Joe Walsh for Congress Committee, Inc., covering campaign finance activity between January 1, 2011 and December 31, 2012. The Commission approved findings related to (1) failure to exercise best efforts to obtain, maintain and submit occupation and employer

information of individual contributors in connection with 106 contributions totaling \$111,860 and (2) receipt of \$92,325 in contributions in excess of the limit. The Audit Division will include in the Proposed Final Audit Report (PFAR) an additional issue addressing certain contributions for which the Committee did not report occupation and employer information. The Audit Division will prepare the PFAR within 30 days.

[Final Audit Report on the Democratic Party of Illinois](#). On November 5, the Commission made public the Final Audit Report on the Democratic Party of Illinois, covering campaign finance activity between January 1, 2009 and December 31, 2010. The Commission approved findings related to the misstatement of financial activity, recordkeeping for employees, and unreported Levin fund activity. Vice Chair Ann M. Ravel and Commissioners Ellen L. Weintraub and Steven T. Walther issued a [Statement](#).

LITIGATION

[Holmes, et al. v. FEC](#) (Case 1:14-cv-01243-RMC). On November 3, the plaintiffs filed a [Response to Order to Show Cause](#) in the United States District Court for the District of Columbia.

RULEMAKING

[Petition for Rulemaking on Amendment of 11 C.F.R. 110.13\(c\) from Level the Playing Field](#). On November 5, the Commission made public a petition for rulemaking from Level the Playing Field and approved for publication in the Federal Register a Notice of Availability for the Rulemaking Petition. The petition requests that the Commission conduct a rulemaking proceeding to revise its regulations governing criteria for inclusion of candidates in presidential and vice presidential candidate debates.

OUTREACH

November 3, Vice Chair Ravel discussed the role of the Commission with a group of private sector and government leaders from Argentina as part of the Center for American Studies Foundation Program.

November 3, Commissioner Weintraub discussed the role of the Commission with a group of politically active Egyptians as part of a program coordinated by the Project on Middle East Democracy.

November 3, Commissioner Weintraub participated in a panel discussion entitled “Money Talks: Free Speech, Political Action Committees and the Future of Campaign Regulations” at the International Foundation for Electoral Systems’ flagship event, U.S. Election Program, in Washington, DC.

November 4, Commissioner Weintraub discussed the role of the Commission with the Secretary of the Mongolian General Election Commission, Ms. Altanjargal Batnyam, as part of the State Department’s International Visitor Leadership Program.

November 5, Vice Chair Ravel met with American University students to discuss the role of the Commission.

November 5, Commissioner Weintraub participated in a panel discussion on the effects of money in politics hosted by Democracy Matters at Gettysburg College in Gettysburg, PA.

November 7, Chairman Lee E. Goodman discussed the role of the Commission with a group of private sector and government leaders from Australia as part of the Center for American Studies Foundation Program.

November 7, Commissioner Weintraub participated in a legal symposium entitled “Advancing a New Jurisprudence for American Self-Government and Democracy” sponsored by Free Speech for People and Harvard Law School in Cambridge, MA.

PRESS RELEASES

[FEC Approves Advisory Opinion and an Audit Division Recommendation Memorandum](#) (issued November 6)

UPCOMING COMMISSION MEETINGS

November 18: The Commission is scheduled to hold an [executive session](#).

November 20: 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

November 19, 2014, Federal Election Commission, Washington, DC. Roundtable/Webinar and In-Person Workshop on Post-General Reporting & Winding Down the Campaign. Additional information is available on the [Educational Outreach](#) page of the Commission website.

UPCOMING REPORTING DUE DATES

December 4: Post-General Reports are due. For information on general election reporting dates, refer to the [2014 General Election 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 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 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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