

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of February 8 – 12

COMMISSION MEETINGS AND HEARINGS

On February 11, the Commission held an [open meeting](#).

No Commission executive sessions were scheduled this week.

ADVISORY OPINIONS

[Advisory Opinion 2015-14 \(Hillary for America II\)](#). On February 11, the Commission approved an advisory opinion in response to a request from Hillary for America (the Committee). The Commission concluded that the provision of a stipend and academic credit by DePauw University to a student who interned for the Committee is permissible under the Federal Election Campaign Act of 1971, as amended (the Act), and Commission regulations. On February 11, two concurring statements were issued: one by [Chairman Matthew S. Petersen and Commissioners Caroline C. Hunter and Lee E. Goodman](#), the other by [Commissioner Ellen L. Weintraub](#). On February 12, Commissioner Weintraub issued a [second concurring statement](#).

[Advisory Opinion Request 2015-16 \(Niger Innis for Congress\)](#). On February 11, the Commission discussed two draft advisory opinions in response to a request from Niger Innis for Congress, but held over a vote on the matter. The requestor asks whether it may pay certain costs associated with general election contributions from general, rather than primary, election funds and whether it may donate uncashed refunds of general election contributions to a charity, rather than disgorge the funds to the U.S. Treasury. The Commission received an [Extension of Time](#) until February 25, 2016.

ENFORCEMENT

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

[MUR 6785](#)

COMPLAINANT: Scott Kalota

RESPONDENTS: Kwasman for Congress and Bret Summers, in his official capacity as treasurer; and Adam C. Kwasman

SUBJECT: The complaint alleged that Kwasman filed his Statement of Candidacy late, and that Kwasman for Congress and Summers, in his official capacity as treasurer (the “Committee”) filed its Statement of Organization and 2013 Year-End Report late, accepted excessive contributions, used assets from Kwasman’s state campaign to support his federal campaign, and included improper disclaimers on campaign materials. Kwasman was a 2014 primary candidate for Arizona’s 1st Congressional District.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter. The Commission noted the short period of time between the date on which the Statements of Candidacy and Organization were due and the date on which they were actually filed, and observed that the late filing of the Statements of Candidacy and Organization did not cause the Committee to miss filing any scheduled disclosure report. The Commission observed that the filing of the 2013 Year-End Report within a day following the deadline did not merit investigation. The Commission observed further that the apparently excessive contributions may simply have been a typographical error that was corrected when the Committee filed an amended 2013 Year-End report that reduced each of three allegedly excessive contributions to permissible amounts. As to the allegation concerning the use of state campaign assets, the Commission observed the lack of information concerning the allegation and the likely *de minimis* value of the alleged violation arising from state campaign-funded signs. Finally, the Commission observed that the allegedly improper disclaimer on campaign signs was unlikely to have misled the public about whether the candidate had authorized the communication.

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 775](#) – Marjorie 2014 and Jennifer May, in her official capacity as treasurer. The respondent agreed to (1) certify the closure of the Committee’s federal account, (2) file a debt settlement plan with the Commission prior to filing a termination report, (3) work with Commission staff to terminate their political committee status and reporting obligations with the Commission, and (4) continue reporting until such time as the Committee’s termination has been approved.

AUDITS

[Audit Division Recommendation Memorandum on the Oklahoma Democratic Party](#). The Commission approved an Audit Division Recommendation Memorandum on the Oklahoma Democratic Party, covering campaign finance activity between January 1, 2011 and December 31, 2012. The Commission approved findings related to the misstatement of financial activity, misstatement of financial activity concerning Levin Funds, and reporting of debts and obligations. The Commission did not approve a proposed finding addressing recordkeeping for employees (monthly payroll logs). The Audit Division will include a discussion of the issue in the Additional Issues section of the Proposed Final Audit Report.

LITIGATION

[*CREW v. FEC*](#) (Case 15-2038). On February 12, the Commission entered its [Answer](#) in the United States District Court for the District of Columbia.

[*Republican Party of Louisiana et al. v. FEC*](#). (Case 1:15-cv-01241-CRC) On February 11, plaintiffs entered their [Motion for Summary Judgment](#) in the United States District Court for the District of Columbia.

[*Public Citizen, et al. v. FEC*](#) (Case 1:14-cv-00148-RJL). On February 8, Intervenor-Defendant, Crossroads Grassroots Policy Strategies filed a [Motion for Summary Judgment](#) in the United States District Court for the District of Columbia.

OUTREACH

On February 6, Commissioner Weintraub spoke on “Ethics in Campaign Finance: Issues Facing our Democracy” at the 2016 Bryce Harlow Workshop on Ethics and Lobbying at American University in Washington, D.C.

On February 8, Commissioner Weintraub met with members of the European Parliament to discuss the Commission's role in regulating the financing of elections for federal office. The meeting was part of the Graduate School USA’s International Visitor Leadership Program.

PUBLIC DISCLOSURE

The Commission has posted the [2016 coordinated party expenditure limits](#).

PRESS RELEASES

FEC Issues an Advisory Opinion and Approves an Audit Division Recommendation Memorandum (link) (issued February 11)

UPCOMING COMMISSION MEETINGS AND HEARINGS

February 23: The Commission is scheduled to hold an [executive session](#).

February 25: 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

February 24: Webinar for Political Party Committees. Additional information is available on the [Educational Outreach](#) page of the Commission website.

UPCOMING REPORTING DUE DATES

February 20: February Monthly Reports are due. For more information on monthly reporting dates, refer to the [2016 Monthly Reporting page](#) of the Commission website.

ADDITIONAL RESEARCH MATERIALS

Additional research materials about the agency, campaign finance information, and election results are available through the [Library section](#) of the Commission website.

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