

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of March 28 – April 1

COMMISSION MEETINGS AND HEARINGS

The [open meeting](#) scheduled for March 31 was canceled due to traffic and security concerns related to the Nuclear Security Summit in DC.

No Commission executive sessions were scheduled this week.

ADVISORY OPINIONS

Request Received

[Advisory Opinion Request 2016-04 \(Grand Trunk Western Railroad. - Illinois Central Railroad PAC\)](#). On March 30, the Commission made public Advisory Opinion Request 2016-04. The requestor is the separate segregated fund (SSF) of two wholly-owned subsidiary corporations. The requestor asks whether several proposed abbreviations for the name of the SSF are permissible under the Federal Election Campaign Act of 1971, as amended (the Act), and Commission regulations. The Commission will accept written comments on the request during the 10-day period following publication of the request (no later than April 11, 2016) and is required to issue a response no later than 60 days after receipt of the complete request, that is, by May 31, 2016.

ENFORCEMENT

The Commission made public 11 closed cases and Statements of Reasons in eight matters, as follows. For more information, see the case documents in the [Enforcement Query System](#).

MUR 6485

COMPLAINANTS: Campaign Legal Center and Democracy 21

RESPONDENTS: W Spann LLC; Edward Conard; and Restore Our Future and Charles R. Spies, in his official capacity as treasurer

SUBJECT: The complaint alleged that unknown respondents made, and Restore our Future (ROF), an independent expenditure-only political committee, accepted, a contribution in the

name of another from W Spann LLC (W Spann). The complaint alleged further that W Spann permitted its name to be used for making such a contribution, and that respondents failed to register W Spann as a political committee and file disclosure reports with the Commission. Conard acknowledged that he was the sole member of W Spann.

DISPOSITION: The Commission closed the file. On April 1, [Chairman Matthew S. Petersen and Commissioners Caroline C. Hunter and Lee E. Goodman](#) and [Vice Chairman Steven T. Walther and Commissioners Ann M. Ravel and Ellen L. Weintraub](#) issued Statements of Reasons.

[MURs 6487 and 6488](#)

COMPLAINANTS: Campaign Legal Center; and Democracy 21

RESPONDENTS: F8 LLC; Unknown Respondents; Steven J. Lund; Eli Publishing, L.C.; and Restore Our Future and Charles R. Spies, in his official capacity as treasurer

SUBJECT: The complaints alleged that Restore Our Future, an independent expenditure-only political committee, accepted two \$1 million contributions on the same date that were made in the name of entities that were not in fact the true sources of the contributions: F8 LLC (F8) and Eli Publishing, L.C. (Eli Publishing). The complaint alleged that unknown persons made the contribution through F8 and that Lund unlawfully made the contribution through Eli Publishing. The complaint alleged further that the two companies failed to register as political committees and to file relevant disclosure reports with the Commission.

DISPOSITION: The Commission closed the file. On April 1, [Chairman Petersen and Commissioners Hunter and Goodman](#) and [Vice Chairman Walther and Commissioners Ravel and Weintraub](#) issued Statements of Reasons.

[MUR 6711](#)

COMPLAINANTS: Campaign Legal Center and Democracy 21

RESPONDENTS: Specialty Investment Group, Inc.; Kingston Pike Development, LLC; William S. Rose, Jr.; FreedomWorks for America and R. Russ Walker, in his official capacity as treasurer; Richard J. Stephenson; and Adam Brandon

SUBJECT: The complaint alleged that Rose formed and incorporated Specialty Investment Group, Inc. (SIG) and its subsidiary, Kingston Pike Development, LLC (KPD) in order to make contributions in the name of another to Freedom Works for America (FWFA). The complaint alleged that Stephenson and others contributed to FWFA in the names of SIG and KPD, and that Brandon helped arrange the contributions. The complaint alleged further that SIG, KPD, and Rose knowingly permitted contributions to be made in the corporations' names and that SIG and KPD failed to register and report as political committees.

DISPOSITION: The Commission closed the file. On April 1, [Chairman Petersen and Commissioners Hunter and Goodman](#) and [Vice Chairman Walther and Commissioners Ravel and Weintraub](#) issued Statements of Reasons.

[MUR 6779](#)

COMPLAINANT: Loren Collins

RESPONDENTS: Joel Gilbert; Highway 61 Entertainment, LLC; and DFMRF, LLC

SUBJECT: The complaint alleged that Gilbert, Highway 61 Entertainment, LLC, and DFMRF, LLC (1) did not report as independent expenditures their costs to distribute by mail millions of free copies of a documentary film critical of President Obama in swing states immediately before

the general election, and (2) neither reported the cost to run an advertisement for the film nor included disclaimers in either the film or the advertisement.

DISPOSITION: The Commission closed the file.

[MUR 6830](#)

COMPLAINANT: Randy Pace

RESPONDENTS: Burlington County Republican Committee and Charles Lambiase, in his official capacity as treasurer; Tom MacArthur for Congress, Inc. and Ron Gravino, in his official capacity as treasurer

SUBJECT: The complaint alleged that the Burlington County Republican Committee and Lambiase, in his official capacity as treasurer (County Committee), made and Tom MacArthur for Congress, Inc. and Gravino, in his official capacity as treasurer (MacArthur Committee), received an in-kind contribution when the County Committee allowed the MacArthur Committee to use its office space and related office services. The complaint alleged further that the County Committee had no federal account and contended that this indicates the alleged in-kind contribution to the MacArthur Committee violated the source prohibitions the Act. MacArthur was a 2014 candidate for New Jersey's 3rd Congressional District.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the allegations against the respondents in the matter. The Commission found no reason to believe that Megan Riffle, the County Committee's Organizational and Political Director, violated the Act or Commission regulations because the available information presented no basis to find her personally liable for any violation.

[MUR 6911](#)

COMPLAINANT: Raymond Schamis

RESPONDENTS: Lois Frankel for Congress and Janica Kyriacopoulos, in her official capacity as treasurer; Paul Spain for Congress and Jane Pike, in her official capacity as treasurer; DNC Services Corporation/Democratic National Committee and Andrew Tobias, in his official capacity as treasurer; and Republican National Committee and Anthony Parker, in his official capacity as treasurer

SUBJECT: The complaint alleged that disclaimers were required for the respondents' tweets from their Twitter accounts but respondents did not include disclaimers. Frankel and Spain were 2014 general election candidates for Florida's 22nd Congressional District.

DISPOSITION: The Commission closed the file. On April 1, Commissioner Weintraub issued a [Statement of Reasons](#).

[MUR 6930](#)

COMPLAINANTS: Campaign Legal Center; and Democracy 21

RESPONDENTS: Prakazrel "Pras" Michel; SPM Holdings LLC/SPM 2012 Holdings LLC; and Black Men Vote and William Kirk, Jr., in his official capacity as treasurer

SUBJECT: The complaint alleged that Michel made two contributions in the name of SPM Holdings LLC/SPM 2012 Holdings LLC (SPM), a single-member limited liability company (LLC) owned by Michel, and that SPM knowingly permitted its name to be used to make, and Black Men Vote and Kirk in his official capacity as treasurer (BMV) knowingly accepted, contributions in the name of another. The complaint alleged further that (1) BMV failed to properly disclose its contributions from SPM, (2) Michel and SPM may have improperly

attributed contributions made to BMV and (3) BMV failed to file required periodic disclosure reports.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the alleged reporting violations, as well as the allegation concerning the proper attribution of single-member LLC contributions, and it sent letters reminding Michel and SPM of the relevant attribution requirements. The Commission closed the file. On April 1, [Chairman Petersen and Commissioners Hunter and Goodman](#) and [Vice Chairman Walther and Commissioners Ravel and Weintraub](#) issued Statements of Reasons.

[MUR 6938](#)

COMPLAINANT: American Democracy Legal Fund

RESPONDENTS: Rand Paul for President, Inc. and Paul Kilgore, in his official capacity as treasurer; Senator Rand Paul; Peter Schweizer; and HarperCollins Publishers LLC

SUBJECT: The complaint alleged that Schweizer made an excessive contribution and his publisher HarperCollins Publishers LLC (HarperCollins) made a prohibited corporate contribution to Paul and Rand Paul for President, Inc. (the Committee) when Schweizer met with Paul to discuss Schweizer's upcoming book, prior to its release, and thus offered Paul access to information that Paul later used in his campaign.

DISPOSITION: The Commission found no reason to believe that Schweizer or HarperCollins made, or that Paul or the Committee received, an excessive or prohibited corporate in-kind contribution because the record did not demonstrate that by meeting with Paul to discuss the book, Schweizer or his publisher made a contribution within the meaning of the Act.

[MUR 6946](#)

COMPLAINANT: Nagender Madavaram

RESPONDENTS: Democratic National Committee and Andrew Tobias in his official capacity as treasurer; President Barack Obama; and Nara Lokesh

SUBJECT: The complaint alleged that Lokesh, a foreign national, violated the Act when he paid for a ticket to a Democratic National Committee (DNC) fundraiser that Obama attended.

DISPOSITION: The Commission found no reason to believe Lokesh made or that the DNC or Obama accepted a prohibited foreign national contribution because the available information demonstrates that a U.S. citizen paid for the ticket and Lokesh attended the event as his guest.

[MURs 6470, 6482 and 6484](#) – Mitt Romney; Romney for President, Inc. (f/k/a Romney for President Exploratory Committee, Inc.) and Darrell Crate, in his official capacity as treasurer; Free and Strong America PAC, Inc. and Darrell Crate, in his official capacity as treasurer; The Commonwealth PAC – Alabama (f/ka/a Free and Strong America PAC – Alabama) and Shauna Polk, in her official capacity as treasurer; The Commonwealth PAC – Iowa (f/k/a Free and Strong America PAC – Iowa) and Shauna Polk, in her official capacity as treasurer; The Commonwealth PAC – Michigan (f/k/a Free and Strong America PAC – Michigan); The Commonwealth PAC – New Hampshire (f/k/a Free and Strong America PAC – New Hampshire) and Shauna Polk, in her official capacity as treasurer; The Commonwealth PAC – South Carolina (f/k/a Free and Strong America PAC – South Carolina) and Shauna Polk, in her official capacity as treasurer. On March 30, Chairman Matthew S. Petersen and Commissioners Caroline C. Hunter and Lee E. Goodman issued a [Statement of Reasons](#).

[MUR 6775](#) – Ready for Hillary PAC and Amy Wills Gray, in her official capacity as treasurer; Hillary Clinton; Friends of Hillary and Shelly Moskwa, in her official capacity as treasurer. On March 29, Commissioner Goodman issued a [Statement of Reasons](#).

[MUR 6849](#) – Todd Tiaht; Kansans for Tiaht and George Bruce, in his official capacity as treasurer; Kansans for Responsible Government and Willis “Wink” Hartman, in his official capacity as treasurer; Hartman Oil Company, Inc.; Willis “Wink” Harman; Michael O’Donnell; PostNet; and Jim Anderson. On March 29, Commissioner Goodman issued a [Statement of Reasons](#).

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 3012](#) – Milton Wolf for U.S. Senate and Perry A. Puccetti, in his official capacity as treasurer. The Commission made a final determination and assessed a civil penalty of \$3,390.

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 779](#) – Alaska’s Energy/America’s Values and Amie J. Haakenson, in her official capacity as treasurer. The respondent agreed to (1) participate in a teleconference with RAD staff to clarify the public record, (2) acknowledge that a civil penalty would be appropriate under the circumstances of this matter but assess no civil penalty and (3) certify the closure of the Committee’s federal account, file a termination report, and work with the Commission staff to terminate the Committee’s political committee status and reporting obligations with the Commission. The Committee will continue reporting until such time as the termination has been approved.

LITIGATION

[FEC v. Lynch](#) (Case 9:15-cv-81732-KAM). On March 30, the Defendants filed an [Amended Answer and Motion to Dismiss](#) in the United States District Court for the Southern District of Florida.

[FEC v. O’Donnell](#) (Case 15-cv-00017-LPS). On March 30, the Defendants filed a [Motion for Summary Judgment and in Answer to Commission's Motion for Summary Judgment](#) in the United States District Court for the District of Delaware.

[Republican Party of Louisiana et al. v. FEC](#) (Case 1:15-cv-01241-CRC). On March 28, [Public Citizen, Inc., Democracy 21, and Campaign Legal Center](#) filed a [Brief of Amici Curiae in](#)

[Opposition to Plaintiffs' Motion for Summary Judgment and in Support of Commission's Cross-Motion for Summary Judgment](#) in the United States District Court for the District of Columbia. On the same day, the Brennan Center for Justice at N.Y.U. School of Law filed a [Brief of Amicus Curiae](#) in Support of the Commission.

[Stop Hillary PAC v. FEC](#) (Case 1:15-cv-01208-GBL-IDD). On March 25, the Plaintiffs filed a [Joint Stipulation of Dismissal](#) in the United States District Court for the Eastern District of Virginia. On March 28, the Court issued an [Order](#), granting the Joint Stipulation of Dismissal.

OUTREACH

On March 29, Commissioner Ravel was the featured speaker at the South Bay Supper Club in Menlo Park, CA, hosted by International Women's Forum Northern California, discussing campaign finance and the 2016 elections.

On March 30, Commissioner Weintraub discussed the Commission and campaign finance law with a delegation from Argentina hosted by the Center for American Studies.

PUBLIC DISCLOSURE

On March 28, the Commission's Office of Inspector General (OIG) made public its [Review of Outstanding Recommendations as of February 2016](#).

UPCOMING COMMISSION MEETINGS AND HEARINGS

April 12: The Commission is scheduled to hold an [executive session](#).

April 14: 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

April 19-20, Orlando, FL, Regional Conference for House & Senate Campaigns; National, State, District & Local Party Committees; and Corporate, Labor, Membership & Trade Organization PACs. Additional information is available on the [Educational Outreach](#) page of the Commission website.

UPCOMING REPORTING DUE DATES

April 15: April Quarterly Reports are due. For information on quarterly reporting dates, refer to the [2016 Quarterly Reporting page](#) of the Commission website.

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

DISCLOSURE INITIATIVES

Commission staff, together with our partners at 18F, continue to add new features to the agency's beta.fec.gov website. The Commission encourages website visitors to submit comments and questions by clicking on the "Feedback" tab at the bottom of each page.

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.

The Commission has published the [March Record](#) newsletter. [Sign up](#) to receive email notification when new Record articles are posted.

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