

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of April 11 – 15

COMMISSION MEETINGS AND HEARINGS

On April 12, the Commission held an [executive session](#).

On April 14, the Commission held an [open meeting](#).

ADVISORY OPINIONS

Advisory Opinion Issued

[Advisory Opinion 2016-01 \(Ethiq\)](#). On April 14, the Commission approved an advisory opinion in response to a request from Ethiq. The Commission concluded that because Ethiq is a press entity, is not owned or controlled by any candidate, political party, or political committee, and will be engaged in its legitimate press function in providing news content to its users, the costs Ethiq incurs in covering or carrying news stories, commentary, and editorials as described in the request will not constitute “expenditures” or “contributions” under the Federal Election Campaign Act of 1971, as amended (the Act), and Commission regulations.

Advisory Opinion Considered

[Advisory Opinion Request 2016-02 \(Enable Midstream Services, LLC\)](#). On April 14, the Commission discussed a draft advisory opinion in response to a request from Enable Midstream Services, LLC (Enable), but held over a vote on the matter until the next open meeting, scheduled for April 28, 2016. Enable owns, operates, and develops midstream natural gas and crude oil infrastructure assets. Enable was formed as part of a joint venture between two publicly traded companies, CenterPoint and OGE Energy, and private investors. Enable intends to create a separate, segregated fund (SSF) and asks whether this SSF will be affiliated with the separate segregated funds of either CenterPoint Energy, Inc. or OGE Energy Corporation, or both.

ENFORCEMENT

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

[MUR 6815](#)

COMPLAINANT: Raymond Buckley and the New Hampshire Democratic Party

RESPONDENTS: New Hampshire for Scott Brown and Paul Kilgore, in his official capacity as treasurer (the Committee); and Scott Brown

SUBJECT: The complaint alleged that Brown and the Committee failed to report disbursements and debt in their first-filed report and filed their Statements of Candidacy and Organization late.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter. The Commission observed that even had Brown become a candidate on the date alleged in the complaint, the Statements of Candidacy and Organization would have been less than 30 days late and the Committee's first required disclosure report would have been the same report it filed in a timely manner.

[MUR 6485](#) – W Spann LLC; Edward Conard; and Restore Our Future and Charles R. Spies, in his official capacity as treasurer. On April 13, Commissioners Ann M. Ravel and Ellen L. Weintraub issued a [Statement of Reasons](#).

[MURs 6487 and 6488](#) – 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. On April 13, Commissioners Ravel and Weintraub issued a [Statement of Reasons](#).

[MUR 6711](#) – 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. On April 13, Commissioners Ravel and Weintraub issued a [Statement of Reasons](#).

[MUR 6779](#) – Joel Gilbert; Highway 61 Entertainment, LLC; and DFMRF, LLC. On April 13, Commissioner Weintraub issued a [Statement of Reasons](#). On April 14, Chairman Matthew S. Petersen and Commissioners Lee E. Goodman and Caroline C. Hunter issued a [Statement of Reasons](#).

[MUR 6911](#) – 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. On April 12, Chairman Petersen and Commissioners Goodman and Hunter issued a [Statement of Reasons](#).

[MUR 6930](#) – Prakazrel "Pras" Michel; SPM Holdings LLC/SPM 2012 Holdings LLC; and Black Men Vote and William Kirk, Jr., in his official capacity as treasurer. On April 14, Commissioners Ravel and Weintraub issued a [Statement of Reasons](#).

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 797](#) – Tarkanian for Congress and Richard M. Egan, in his official capacity as treasurer. The Commission dismissed and closed the file.

LITIGATION

[Level the Playing Field, et al. v. FEC](#) (Case 1:15-cv-01397). On April 13, [Independent Voter Project](#) and [FairVote](#) filed Briefs of Amicus Curiae in Support of Plaintiffs' Motion for Summary Judgment in the United States District Court for the District of Columbia.

[Levinthal, et al. v. FEC](#) (Case 1:15-cv-01624-APM). On April 8, the Plaintiffs filed a [Cross-Motion for Summary Judgment and Opposition to the Commission's Motion for Summary Judgment](#) and [Statement of Material Facts](#) in the United States District Court for the District of Columbia.

[FEC v. O'Donnell](#) (Case 15-cv-00017-LPS). On April 13, the Commission filed its [Reply Brief in Support of Commission's Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment](#) in the United States District Court for the District of Delaware.

RULEMAKING AND AGENCY PROCEDURES

[Draft Final Rule and Explanation and Justification for Technical Amendments to 2015 CFR](#). On April 14, the Commission discussed and held over the approval of technical corrections to various sections of its regulations.

[Proposed Modifications to Program for Requesting Consideration of Legal Questions by the Commission](#). On April 14, the Commission approved a memorandum recommending two modifications of the Program for Requesting Consideration of Legal Questions by the Commission: clarifying that requests must be submitted to the Commission Secretary and including up to five additional business days to allow for informal resolution of underlying issues in requests.

[Proposed Statement of Policy Regarding the Public Disclosure of Closed Enforcement Documents](#). On April 14, the Commission held over the discussion until its next open meeting of a proposed statement of policy that would expand the range of records to be made publicly available on a regular basis.

[Motion to Open a Rulemaking to Assist Those Accepting Corporate Contributions or Making Corporate Expenditures in Complying with Existing Campaign Finance Law](#) and a [Motion Regarding Foreign National Rulemaking](#). On April 14, the Commission discussed these motions. Commissioner Weintraub announced that she will host a forum of experts, tentatively scheduled for June 23 at the Commission's headquarters, to discuss corporations and foreign money.

OUTREACH

On April 11, Commissioner Ravel was the keynote speaker on campaign finance, the role of the Federal Election Commission and the value of increasing civic engagement at a luncheon hosted by the Carlton Club in Washington, D.C.

CAMPAIGN FINANCE REPORTS

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

PRESS RELEASES

[FEC Approves Advisory Opinion and Modifies Program for Requesting Consideration of Legal Questions](#) (issued April 14)

[FEC Declares Jill Stein Eligible to Receive Federal Matching Funds](#) (issued April 14)

UPCOMING COMMISSION MEETINGS AND HEARINGS

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

April 28: 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 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 [April Record](#) newsletter. [Sign up](#) to receive email notification when new Record articles are posted.

The 2016 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.

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