

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of May 9 – 13

COMMISSION MEETINGS AND HEARINGS

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

ADVISORY OPINIONS

Drafts

[Advisory Opinion 2016-04 \(Grand Trunk Western Railroad. - Illinois Central Railroad PAC\)](#). On May 9, the Commission made public a [draft](#) of Advisory Opinion 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. Public comments on the draft are due by noon on May 18.

ENFORCEMENT

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

[MUR 6564](#)

COMPLAINANT: Dr. Terry Jones

RESPONDENT: James Terpening

SUBJECT: The complaint alleged that Terpening did not provide Jones with access to the website he created for Jones's campaign, or to the funds received through the website. Jones had filed a Statement of Candidacy to run for President in the 2012 cycle.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter. The Commission observed that there was a low amount apparently at issue.

[MUR 6624](#)

COMPLAINANT: George Nault

RESPONDENT: Gould for Congress and Janice Gould, in her official capacity as treasurer (Gould Committee)

SUBJECT: The complaint alleged that the Gould Committee failed to properly report earmarked contributions. The Complaint alleged further that Ron Gould's State Senate campaign, the Committee to Elect Ron Gould, paid \$16,500 for consulting services benefiting Gould's federal campaign, resulting in unreported in-kind contributions. Ron Gould was a 2012 candidate for Arizona's 4th Congressional District.

DISPOSITION: On December 15, 2015, the Commission found reason to believe the Gould Committee improperly reported earmarked contributions, and it closed the file in connection with the remaining allegations. On April 5, 2016, the Commission approved a conciliation agreement providing for the Gould Committee to pay a civil penalty of \$5,500.

[MUR 6728](#)

COMPLAINANT: Mike Rusher, North Carolina Republican Party

RESPONDENTS: Mike McIntyre; Mike McIntyre for Congress and Marion D. Thompson, in her official capacity as treasurer

SUBJECT: The complaint alleged that McIntyre and Mike McIntyre for Congress and Thompson, in her official capacity as treasurer (the Committee), failed to file an amended Statement of Organization within 10 days of the filing of McIntyre's Statement of Candidacy. The complaint alleged further that the Committee failed to itemize \$61,804.82 in transfers from the McIntyre 2012 Victory Fund (Victory Fund). McIntyre was a 2014 primary candidate for North Carolina's 7th Congressional District.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter. The Commission observed that the Victory Fund had been terminated and the funds at issue were reported by the Committee, albeit in the wrong area of its disclosure reports.

[MUR 6746](#)

COMPLAINANT: Citizens for Responsibility and Ethics in Washington

RESPONDENTS: Americans in Contact PAC and Gabriel S. Joseph, III in his official capacity as treasurer (AICPAC); Gabriel S. Joseph, III; and FreeEats.com, Inc. d/b/a ccAdvertising

SUBJECT: The complaint alleged that AICPAC did not include required disclaimers on communications. The complaint also alleged that AICPAC, which is registered as a nonconnected PAC, is in fact the separate segregated fund of FreeEats.com, d/b/a ccAdvertising, and that it solicited funds from individuals outside its restricted class. The complaint alleged further that Joseph knowingly made a false statement to the Commission when he filed a Statement of Organization claiming the PAC had no connected organization.

DISPOSITION: The Commission closed the file as to the allegation concerning missing disclaimers. The Commission exercised its prosecutorial discretion in connection with the remaining allegations and dismissed the matter. The Commission observed that there was information demonstrating AICPAC's financial independence.

[MUR 6898](#)

COMPLAINANT: Laura N. Doukas

RESPONDENTS: Tim Bishop; Tim Bishop for Congress and Molly Bishop, in her official capacity as treasurer (Bishop Committee); Stony Brook University (SBU); Steve Israel; Steve Israel for Congress and Harris Wiener, in his official capacity as treasurer (Israel Committee);

New York State Democratic Committee and John Gulino, in his official capacity as treasurer (NYSDC); and Democratic Congressional Campaign Committee and Kelly Ward, in her official capacity as treasurer (DCCC)

SUBJECT: The complaint alleged that SBU made in-kind contributions to Bishop and the Bishop Committee by paying for a rally for Bishop and in-kind contributions to Israel, the Israel Committee and the DCCC by disseminating notices about the rally. The complaint alleged further that the Bishop Committee, the Israel Committee, NYSDC, and DCCC failed to report the in-kind contributions.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter due to circumstances including the low amount at issue.

LITIGATION

[Level the Playing Field, et al. v. FEC](#) (Case 1:15-cv-00961-TSC). On May 11, the Commission on Presidential Debates filed a [Brief of Amicus Curiae in Support of Defendant's Motion for Summary Judgment](#).

[Republican Party of Louisiana et al. v. FEC](#) (Case 1:15-cv-01241-CRC-SS-TSC). On May 11, the Plaintiffs filed a [Reply Supporting Their Summary Judgment Motion and Opposition to Commission's Summary Judgment Motion](#) in the United States District Court for the District of Columbia.

EDUCATIONAL PROGRAMS

On May 11, the Commission hosted a Webinar for Corporations and their PACs.

OUTREACH

On May 13, Communication Specialists Dorothy Yeager and Katherine Carothers presented a workshop on political action committees at the National Institute for Lobbying & Ethics in Washington, DC.

FEDERAL REGISTER

On May 13, the Commission published a [Policy Statement Regarding a Program for Requesting Consideration of Legal Questions by the Commission](#) in the Federal Register.

PRESS RELEASES

[FEC Cites Committee for Failure to File 12-Day Pre-Primary Financial Report](#) (issued May 13)

UPCOMING FORUM

June 23, 10 a.m.: Forum hosted by Commissioner Ellen L. Weintraub at the FEC: Corporate Political Spending and Foreign Influence.

UPCOMING COMMISSION MEETINGS AND HEARINGS

May 19: The Commission is scheduled to hold an [open meeting](#).

May 24: The Commission is scheduled to hold an [executive session](#).

May 26: 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

May 25: Webinar for Trade Associations and their PACs. Additional information is available on the [Educational Outreach](#) page of the Commission website.

UPCOMING REPORTING DUE DATES

May 20: May 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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