

# FEDERAL ELECTION COMMISSION

Press Office  
999 E Street, N.W., Washington, DC 20463  
Phone: 202-694-1220 Toll Free: 800-424-9530  
[www.fec.gov](http://www.fec.gov)



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Contact: Judith Ingram  
Julia Queen  
Christian Hilland

## Weekly Digest Week of July 18 – 22

### COMMISSION MEETINGS AND HEARINGS

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

### ENFORCEMENT

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

#### [MUR 6813](#)

COMPLAINANT: Elvira F. Hasty

RESPONDENTS: Cox for Congress and David Cox, in his official capacity as treasurer (the Committee); David Cox; and Gregory F. Smith

SUBJECT: The complaint alleged that Smith made and the Committee accepted excessive contributions. The complaint alleged further that the Committee improperly reported a \$3,000 contribution from Smith as a loan, and that Smith's corporation made a prohibited \$2,000 contribution to the Committee. Cox was a 2014 candidate for Florida's 6<sup>th</sup> Congressional District.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter. The Commission observed that the amounts at issue were small, Cox was a first-time candidate and Smith an inexperienced contributor, and the Committee had requested to be terminated. The Commission sent a letter reminding the Committee to refund the excessive contributions to Smith and file amended disclosure reports to reflect the updated information.

#### [MUR 6829](#)

COMPLAINANT: Scot Ross

RESPONDENTS: Ron Johnson for Senate Inc. and James J. Malczewski, in his official capacity as treasurer (Committee); Senator Ronald H. Johnson; Strategy PAC and James J. Malczewski, in his official capacity as treasurer (PAC); and Wisconsin Institute for Law and Liberty (WILL)

SUBJECT: The complaint alleged that the Committee failed to timely disclose debts incurred for legal fees related to a suit filed by Senator Johnson against the U.S. Office of Personnel Management. Sen. Johnson is a 2016 candidate for Wisconsin's United States Senate seat.

DISPOSITION: The Commission found no reason to believe Senator Johnson, the PAC or WILL violated the Act or Commission regulations. The Commission exercised its prosecutorial discretion and dismissed the allegations in connection with the Committee and sent a letter reminding the Committee of the obligation to report its debts when incurred, to continuously report the amount and nature of outstanding debts until those debts are extinguished, and to amend its disclosure reports accordingly, including “estimated debts.”

#### [MUR 6839](#)

COMPLAINANT: Anne Stephenson

RESPONDENT: Wooten for Congress and Donald L. McClung, in his official capacity as treasurer (Committee)

SUBJECT: The complaint alleged that the Committee distributed palm cards that lacked disclaimers stating who paid for them and business cards with disclaimers that included an incorrect name for the Committee. Chuck Wooten was a 2014 candidate for Arizona’s 2<sup>nd</sup> Congressional District.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter. The Commission observed that there was only a small amount apparently in violation, among other circumstances.

#### [MUR 6895](#)

COMPLAINANT: Rebecca West

RESPONDENTS: Inhofe Victory Committee 2014 and Timothy A. Koch, in his official capacity as treasurer (Victory Committee); Friends of Jim Inhofe Committee and Timothy A. Koch, as treasurer (Inhofe Committee); and Fund for a Conservative Future and Timothy A. Koch, in his official capacity as treasurer (Fund)

SUBJECT: The complaint alleged that the three committees may have accepted an excessive in-kind contribution in the form of security provided by two individuals employed by a sheriff’s office. James Inhofe was a 2014 candidate for Oklahoma’s United States Senate seat.

DISPOSITION: The Commission found no reason to believe the Inhofe Committee or the Fund violated the Act or Commission regulations, because the record does not reflect any such violation by these committees. The Commission also found no reason to believe the Victory Committee accepted a prohibited in-kind contribution because the Victory Committee had paid for the provision of security at the fundraiser. The Commission exercised its prosecutorial discretion and dismissed the allegation that the Victory Committee did not report the payment for security properly. The Commission noted that the alleged reporting violation was technical in nature.

#### [MUR 6904](#)

COMPLAINANT: Lauren Ganapini

RESPONDENTS: Cat Ping for Congress and Catherine L. Ping, in her official capacity as treasurer (Committee); and Concerned 7<sup>th</sup> District Neighbors (CDN)

SUBJECT: The complaint alleged that the Committee’s website included an improper disclaimer and that the solicitation page on the Committee’s website lacked the requisite “best efforts” language. The complaint alleged further that CDN ran a newspaper ad containing express advocacy but failed to indicate whether Ping had authorized it, and that if the ad cost more than \$250 and was not approved by Ping, CDN should have filed an independent expenditure report with the Commission. Ping was a 2014 candidate for Indiana’s 7<sup>th</sup> Congressional District.

DISPOSITION: The Commission exercised its prosecutorial discretion and dismissed the matter. In addition to the apparent small amount at issues as well as other circumstances presented, the Commission observed that the Committee's website appeared to include sufficient information as to the identity of the party who paid for it.

#### MUR 6970

COMPLAINANT: Andrew Straw

RESPONDENTS: Peter DiCianni; DiCianni for DuPage County Board (local committee); and Pete for Congress and Paul Kilgore, in his official capacity as treasurer (federal committee)

SUBJECT: The complaint alleged DiCianni used funds from his local political committee to support his federal candidacy, and that he failed to file a timely statement of candidacy or required disclosure reports after his local committee raised more than \$5,000 to support his federal campaign. DiCianni was a 2016 primary candidate for Illinois's 8<sup>th</sup> Congressional District.

DISPOSITION: The Commission found no reason to believe that (1) DiCianni or the federal committee failed to disclose funds received or payments made for testing-the-waters purposes, (2) DiCianni failed to timely register and report as a candidate, or (3) DiCianni or the federal committee failed to register as a principal campaign committee in a timely manner. The Commission exercised its prosecutorial discretion and dismissed the allegation that the local committee made and the federal committee accepted and failed to report a prohibited contribution. The Commission observed that the potential violation in the matter appeared to be limited to a single \$500 payment.

#### MUR 6981

COMPLAINANT: Anne L. Weisman, Campaign for Accountability

RESPONDENT: Sheldon Adelson

SUBJECT: The complaint alleged that Adelson made contributions to federal campaigns and committees with funds derived from foreign nationals.

DISPOSITION: The Commission approved the recommendation of the Office of General Counsel to find no reason to believe a violation occurred. The Office of General Counsel observed that Adelson is a U.S. citizen and there was no information in the record indicating that Adelson made a contribution with funds provided by foreign nationals.

### **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 784 – McConnell Senate Committee '14 and Larry I Steinberg, in his official capacity as treasurer. The respondent agreed to (1) certify that the Committee will include indemnification clauses in any and all future vendor contracts Respondents enter into where the vendors' responsibilities will involve the handling of any committee funds intended for deposit into the Committee's accounts and (2) develop and certify the implementation of a program whereby the Committee contacts the banking institution where it holds accounts to verify no accounts have been opened without the proper authorization.

[ADR 786](#) – David Vitter for US Senate and William Vanderbrook, in his official capacity as treasurer. The respondent agreed that the Committee will (1) include indemnification clauses in any and all future vendor contracts Respondents enter into where the vendors’ responsibilities will involve the handling of any committee funds intended for deposit into the Committee’s accounts, (2) file any amended report(s) promptly upon receipt of any additional information regarding additional embezzled contributions, providing a certification that report(s) have been filed or that no additional information has been received, and (3) develop and certify the implementation of a program whereby the Committee contacts the banking institution where it holds accounts to verify no accounts have been opened without the proper authorization.

## **LITIGATION**

[Independence Institute v. FEC](#) (Case 1:14-cv-01500-CKK-PAM-APM). On July 19, the Commission filed its [Motion for Summary Judgment and Memorandum in Support of its Motion for Summary Judgment and in Opposition to Plaintiff’s Motion for Summary Judgment](#) in the United States District Court for the District of Columbia.

## **CAMPAIGN FINANCE REPORTS**

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

## **OUTREACH**

On July 18-21, Vice Chairman Steven T. Walther, Commissioner Lee E. Goodman, Commissioner Caroline C. Hunter, Commissioner Ann M. Ravel and Commissioner Ellen L. Weintraub attended the Republican National Convention in Cleveland, Ohio.

On July 21, Commissioner Ravel discussed [money in state and local politics](#) on WAMU’s Diane Rehm Show

## **UPCOMING COMMISSION MEETINGS AND HEARINGS**

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

August 23: 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 REPORTING DUE DATES**

August 20: August 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](http://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 [2016 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 Commission has published the [July 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](mailto:info@fec.gov).

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