

FEDERAL ELECTION COMMISSION

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Weekly Digest Week of September 26 – 30

COMMISSION MEETINGS AND HEARINGS

On September 29, the Commission held an [open meeting](#).

ADVISORY OPINIONS

Advisory Opinion Issued

[Advisory Opinion 2016-10 \(Parker\)](#). On September 29, the Commission approved an advisory opinion in response to a request from Caroline Goodson Parker. The Commission concluded that as a United States citizen living abroad, the requestor may solicit contributions or donations to state and local party committees, but that she may not knowingly do so from a foreign national. The Commission also concluded that the requestor is not required to notify those whom she solicits about the prohibition on soliciting foreign nationals, and that the requestor may inform a state or local party committee that she is soliciting contributions or donations to that committee.

ENFORCEMENT

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

[MUR 6884](#)

COMPLAINANT: Montana Republican Party

RESPONDENTS: John Lewis; Montanans for Lewis and Holly Giarraputo, in her official capacity as treasurer (the Committee)

SUBJECT: The complaint alleged that Lewis and the Committee failed to report contributions made by individual donors through ActBlue, a conduit fundraising entity, and that the Committee failed to accurately report required information about the contributions. Lewis was a 2014 candidate for Montana's Congressional District.

DISPOSITION: The Commission found no reason to believe Lewis and the Committee violated Commission regulations because the Committee properly disclosed the required information

about ActBlue, as well as the required contributor information for each of the contributions the Committee received through the conduit.

[MUR 6890](#)

COMPLAINANT: FEC-Initiated

RESPONDENTS: Samuel K. Pate, Jr.

SUBJECT: In the normal course of carrying out its supervisory responsibilities, the Commission initiated proceedings to determine whether there was reason to believe that Pate, a vendor responsible for processing contributions to political committees and maintaining donor records, knowingly and willfully mixed committees' funds with his personal funds and converted campaign funds to personal use.

DISPOSITION: The Commission agreed to accept a conciliation agreement without a civil penalty due to the mitigating circumstances presented by Pate regarding his financial condition. If evidence is uncovered indicating Pate is not experiencing a financial hardship as stated, an \$883,000 civil penalty shall be immediately due.

AUDITS

[Final Audit Report on Freedomworks for America](#). On September 28, the Commission approved the Final Audit Report of the Commission on Freedomworks for America, covering campaign finance activity between July 15, 2011, and December 31, 2012. The Audit examined reports and statements filed by the Committee and discovered no material non-compliance.

LITIGATION

[Pursuing America's Greatness v. FEC](#) (Case 15-5264). On September 26, the Court of Appeals for the District of Columbia Circuit issued a [Mandate](#).

[Stop Reckless Economic Instability caused by Democrats, et al. v. FEC](#) (Case 16-109). On September 23, the Solicitor General, on behalf of the Commission, filed a [Brief for the Respondent in Opposition to the Petition for a Writ of Certiorari](#) in the United States Supreme Court.

[Van Hollen v. FEC](#) (Case 15-5016). On September 26, the United States Court of Appeals for the District of Columbia Circuit issued an [Order](#).

RULEMAKING AND AGENCY PROCEDURES

[REG 2013-01: Notice of Proposed Rulemaking on Technological Modernization](#). On September 29, the Commission unanimously approved a Notice of Proposed Rulemaking on Technological Modernization, which proposes changes to more than 100 Commission regulations to address contributions and expenditures made by electronic means, such as through internet-based payment processors or text messaging, to eliminate and update references to outdated technologies, and to address similar issues. The Commission was unable to reach agreement by the required four affirmative votes on an [amendment](#) proposing that the press exemption be

clarified to include books and films. The Commission will accept comments on the Notice after it is published in the Federal Register.

[REG 2011-02: Internet Communication Disclaimers](#). On September 29, the Commission unanimously approved a Federal Register Notice to reopen the comment period and announce a public hearing to discuss the Advance Notice of Proposed Rulemaking on Internet Communication Disclaimers. The Commission will accept comments on the Notice once it is published in the Federal Register.

[Proposed Amendments to Directive 52](#). On September 29, the Commission held over this agenda item at its open meeting.

[Promoting Voluntary Compliance](#). On September 29, the Commission discussed an initiative to promote voluntary compliance through a list of basic compliance tips the agency will submit to a national newspaper, as well as distributing through social media and other media outlets, to complement existing outreach efforts.

[Presidential Public Financing Legislative Recommendations](#). On September 29, the Commission discussed a proposal to put forward legislative recommendations to modernize and improve the presidential public financing program.

[Proposal to Attack Scam PACs](#). On September 29, the Commission discussed a proposal to combat entities colloquially known as "Scam PACs," using disclaimer rules, better Commission disclosure and legislative recommendations to Congress. The Commission agreed to form a staff working group to develop specific proposals.

[Revised Proposal to Launch Rulemaking to Ensure that U.S. Political Spending Is Free from Foreign Influence](#). On September 29, the Commission discussed a revised proposal to initiate a rulemaking examining the role of foreign political spending in U.S. elections following the Supreme Court decision in [Citizens United v. FEC](#).

OUTREACH

On September 26, Commissioner Ann M. Ravel served as moderator for a panel discussion on the campaign finance system at the Patriotic Millionaires and Take Back Our Republic event in Washington, DC.

On September 27, Commissioner Ellen L. Weintraub spoke with a delegation of young African political leaders about the FEC's oversight of federal elections. The meeting was part of a "Regional Project for Africa on Election Campaigns" program sponsored by the U.S. State Department's International Visitor Leadership Program.

On September 27, Communication Specialist Zainab Smith spoke with a delegation from Venezuela about the role of the Commission. The meeting was part of a "Grassroots Democracy and Citizen Participation" program sponsored by the U.S. State Department's International Visitor Leadership Program.

EDUCATIONAL PROGRAMS

On September 28, the Commission hosted a Roundtable Workshop/Webinar on Reporting for Candidate Committees. Additional information is available on the [Educational Outreach](#) page of the Commission website.

On September 28, the Commission hosted a Roundtable Workshop/Webinar on FECFile for Candidate Committees. Additional information is available on the [Educational Outreach](#) page of the Commission website.

PRESS RELEASES

[FEC Approves NPRM, Federal Register Notice, AO and Audit, Discusses Range of Initiatives](#)
(issued September 29)

UPCOMING COMMISSION MEETINGS AND HEARINGS

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

Meeting dates are subject to change. Please contact the Press Office the week of the scheduled meeting for confirmation.

UPCOMING REPORTING DUE DATES

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

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

October 27: Pre-General Reports are due. For more information on reporting dates, refer to the [2016 Reporting Dates 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 [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 [September 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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