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Federal Election Commission
Washington, DC 20463

MEMORANDUM

October 16, 2015

TO: The Commission

THROUGH: Alec Palmer *CW/HJ*
Staff Director

FROM: Patricia C. Orrock *PO/MYI*
Chief Compliance Officer

Lynn M. Fraser *AM*
Director, ADR Office

SUBJECT: ADR 780 Committee to Elect Gwendolyn Beck to Congress and John A. Saylor, Treasurer, Coalition of Independent Voices in Congress (CIVIC) and Cesar Augusto del Aguila, Jr., Treasurer, Eagles Party PAC and Gwendolyn Joyce Beck, Treasurer, Richard Kramer, Jeffrey Epstein, and Ginger Vuich, Recommendation to Dismiss

The Office of General Counsel referred MUR 6921 on September 18, 2015, and the ADR Office designated the referral as ADR 780. The ADR Office recommends the Commission exercise prosecutorial discretion and dismiss the matter. *Heckler v. Chaney* 470 U.S. 821 (1985). We include a summary and discussion of the matter for your information.

Summary and Analysis of Case: The complaint filed by Christopher M. Marston (Complainant) alleges that the Committee to Elect Gwendolyn Beck to Congress and John A. Saylor, Treasurer (Beck Committee) and Ginger Vuich, former Treasurer (Respondent Vuich), the Coalition of Independent Voices in Congress and Cesar Augusto del Aguila, Jr., Treasurer (Respondent CIVIC), the Eagles Party PAC and Gwendolyn Joyce Beck, Treasurer, (Respondent EPP), Richard Kramer (Respondent Kramer), and Jeffrey Epstein (Respondent Epstein) (collectively Respondents), violated contribution limits due to the fact that the Beck Committee, Respondent CIVIC and Respondent EPP were affiliated, and thus shared a single contribution limit. Specifically, Respondents CIVIC and EPP each registered as non-connected political committees with the Commission. The Complainant asserts that although Respondents CIVIC and EPP failed to note any affiliation, it appears the two are affiliated committees, and as such share a single contribution limit. According to the complaint, both committees were established

and controlled by Gwendolyn Joyce Beck (Respondent Beck), while Respondent CIVIC was financed by Respondent Epstein and Respondent EPP was financed by Respondent Epstein and Respondent Kramer.

The complaint also alleges that CIVIC received only one contribution - a \$5,000 contribution by Epstein on July 11, 2014. In turn, CIVIC contributed \$2,600 to the Beck Committee on November 5, 2014. EPP received all its funds from Respondent Beck (\$1,700), Epstein (\$5,000) and Kramer (\$5,000), and made a single \$2,600 contribution to the Beck Committee on November 5, 2014. According to the complaint, CIVIC and EPP, as affiliated committees, shared a single contribution limit of \$2,600, which they exceeded when they each contributed \$2,600 to the Beck Committee on November 5, 2014.

The Beck Committee contends that the registration error of the Respondents CIVIC and EPP committees was due to inexperience, and that Respondents worked with the Commission to make refunds and file amended reports to correct the record. Respondents Epstein and Kramer contend that they made legal contributions and had no knowledge of any affiliation between the committees. In addition, both confirmed they received refunds of their contributions.

While a violation occurred, there appears to have been a lack of understanding of the reporting requirements, and the amount in violation is *de minimis*. Thus, it may not be worth Commission resources to pursue this matter, and a dismissal is recommended.

RECOMMENDATION:

1. Dismiss ADR 780 (MUR 6921), and close the file.
2. Approve the appropriate letters.