

FEDERAL ELECTION
COMMISSION

2019/09/30 10:14

CELA

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Hillary Victory Fund and Elizabeth Jones) MUR 7304, MUR 7331,
in her official capacity as treasurer;) RAD REFERRAL 17L-48R,
Hillary Rodham Clinton; Hillary for) RAD REFERRAL 18L-19,
America and Elizabeth Jones in her)
official capacity as treasurer; DNC)
Services Corporation/Democratic)
National Committee and William Q.)
Derrough in his official capacity as)
treasurer; Alaska Democratic Party and)
Carolyn Covington in her official)
capacity as treasurer; Democratic Party of)
Arkansas and Dawne Vandiver in her)
official capacity as treasurer; Colorado)
Democratic Party and Rita Simas in her)
official capacity as treasurer; Democratic)
State Committee (Delaware) and Helene)
Keeley in her official capacity as)
treasurer; Democratic Executive)
Committee of Florida and Francesca)
Menes in her official capacity as)
treasurer; Georgia Federal Elections)
Committee and Kip Carr in his official)
capacity as treasurer; Idaho State)
Democratic Party and Leroy Hayes in his)
official capacity as treasurer; Indiana)
Democratic Congressional Victory)
Committee and Henry Fernandez in his)
official capacity as treasurer; Iowa)
Democratic Party and Ken Sagar in his)
official capacity as treasurer; Kansas)
Democratic Party and Bill Hutton in his)
official capacity as treasurer; Kentucky)
State Democratic Central Executive)
Committee and M. Melinda Karns in her)
official capacity as treasurer; Democratic)
State Central Committee of LA and Sean)

Federal Election Commission
Certification for MURs 7304 and 7331; RAD Referrals
17L-48R, 18L-19,
April 25, 2019

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Bruno in his official capacity as treasurer;)
Maine Democratic Party and Betty)
Johnson in her official capacity as)
treasurer; Massachusetts Democratic)
State Committee and Paul G. Yorkis in)
his official capacity as treasurer;)
Michigan Democratic State Central)
Committee and Sandy O'Brien in her)
official capacity as treasurer; Minnesota)
Democratic-Farmer-Labor Party and)
Tyler Moroles in his official capacity as)
treasurer; Mississippi Democratic Party)
and Ryan Brown in his official capacity)
as treasurer; Missouri Democratic State)
Committee and Emily Waggoner in her)
official capacity as acting treasurer;)
Montana Democratic Party and Sandi)
Luckey in her official capacity as)
treasurer; Nevada State Democratic Party)
and Jan Churchill in her official capacity)
as treasurer; New Hampshire Democratic)
Party and Brian Rapp in his official)
capacity as treasurer; New Jersey)
Democratic State Committee and Kelly)
Stewart Maer in her official capacity as)
treasurer; Democratic Party of New)
Mexico and Robert Lara in his official)
capacity as treasurer; North Carolina)
Democratic Party – Federal and Anna)
Tilghamn in her official capacity as)
treasurer; Ohio Democratic Party and)
Fran Alberty in her official capacity as)
treasurer; Oklahoma Democratic Party)
and Rachael Hunsucker in her official)
capacity as treasurer; Democratic Party of)
Oregon and Eddy Morales in his official)
capacity as treasurer; Pennsylvania)
Democratic Party and Alexander Reber in)
his official capacity as treasurer; Rhode)
Island Democratic State Committee and)
Jeffrey Padwa in his official capacity as)
treasurer; Democratic Party of South)
Carolina and Kathryn Hensley in her)
official capacity as treasurer; South)

Dakota Democratic Party and Bill)
Nibbelink in his official capacity as)
treasurer; Tennessee Democratic Party)
and Geeta McMillan in her official)
capacity as treasurer; Texas Democratic)
Party and Gilberto Hinojosa in his)
official capacity as treasurer; Utah State)
Democratic Committee and Peter)
Corroon in his official capacity as)
treasurer; Democratic Party of Virginia)
and Barbara Klear in her official capacity)
as treasurer; WV State Democratic)
Executive Committee and Jerry)
Brookover in his official capacity as)
treasurer; Democratic Party of Wisconsin)
and Randy A. Udell in his official)
capacity as treasurer; WY Democratic)
State Central Committee and Chris)
Russell in his official capacity as)
treasurer)

CERTIFICATION

I, Laura E. Sinram, recording secretary of the Federal Election Commission executive session, do hereby certify that on April 25, 2019, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-2 to:

- a.
- b.
- c.
- d.
- e.
- f.

- g.
- h.
- i.
- j. Find reason to believe that Hillary Victory Fund and Elizabeth Jones in her official capacity as treasurer, Hillary for America and Elizabeth Jones in her official capacity as treasurer, DNC Services Corporation/DNC and William Q. Derrough in his official capacity as treasurer, and the thirty-eight SPCs violated 11 C.F.R. § 102.17(c)(1) and (2).
- k. Find reason to believe that DNC Services Corporation/DNC and William Q. Derrough in his official capacity as treasurer violated 52 U.S.C. § 30116(f).
- l. Find reason to believe that Hillary Victory Fund and Elizabeth Jones in her official capacity as treasurer, DNC Services Corporation/DNC and William Q. Derrough in his official capacity as treasurer, and the thirty-eight SPCs violated 52 U.S.C. § 30104(a) and (b) and 11 C.F.R. § 104.3(a) and (b).
- m. Find reason to believe the Texas Democratic Party, the Mississippi Democratic Party, the Idaho State Democratic Party, the Nevada State Democratic Party, the Utah State Democratic Committee, the Democratic Party of South Carolina, the Massachusetts Democratic State Committee, and the Kansas Democratic Party violated 52 U.S.C. § 30104(a) and (b) and 11 C.F.R. § 104.3(a) and (b).
- n. Find reason to believe that DNC Services Corporation/DNC and William Q. Derrough in his official capacity as treasurer violated 52 U.S.C. § 30116(a) and 11 C.F.R. §§ 109.20(a) and 109.32.
- o. Find reason to believe that Hillary for America and Elizabeth Jones in her official capacity as treasurer violated 52 U.S.C. § 30116(f) and 11 C.F.R. §§ 109.20(a) and 109.32.
- p. Take no action at this time with regard to the alleged violations of 52 U.S.C. §§ 30116(a)(8) and 30122 and 11 C.F.R. §§ 110.4 and 110.6 against all Respondents.

- q. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated September 28, 2018.
- r. Approve the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Petersen dissented.

2. Failed by a vote of 2-2 to:

- a.
- b.
- c.
- d.
- e.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Petersen dissented.

3. Decided by a vote of 4-0 to:

- a.
- b.

c.

d.

e.

Commissioners Hunter, Petersen, Walther and Weintraub voted affirmatively for the decision.

4. Failed by a vote of 2-2 to:

a.

b.

c.

d.

e.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Petersen dissented.

5. Decided by a vote of 4-0 to:

a.

b.

c.

d.

e.

Commissioners Hunter, Petersen, Walther and Weintraub voted affirmatively for the decision.

6. Failed by a vote of 2-2 to:

a.

b.

c.

d.

e.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Petersen dissented.

7. Decided by a vote of 4-0 to:

- a.
- b.
- c.
- d.
- e.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

8. Failed by a vote of 2-2 to:

- a.
- b.
- c.

d.

e.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Petersen dissented.

9. Decided by a vote of 4-0 to:

a.

b.

c.

d.

e.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

10. Decided by a vote of 4-0 to:

a.

b.

c.

d.

e.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

11. Decided by a vote of 4-0 to:

RR 17L-48R (Mississippi Democratic Party)

- a. Decline to open a MUR in RR 17L-48R.
- b. Refer the Mississippi Democratic Party to the Alternative Dispute Resolution Office.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

12. Decided by a vote of 4-0 to:

a.

b.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

13. Decided by a vote of 4-0 to:

RR 18L-19 (Massachusetts Democratic State Committee)

- a. Decline to open a MUR in RR 18L-19.
- b. Refer the Massachusetts Democratic State Committee to the Alternative Dispute Resolution Office.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

14. Decided by a vote of 4-0 to:

MUR 7331 (Hillary Victory Fund)

- a. Sever the allegations regarding from MUR 7331
- b. Close the File.
- c. Send the appropriate letters.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

15. Failed by a vote of 3-1 to:

MUR 7304 (Hillary Victory Fund)

- a. Close the File.

b. Approve defense of suit in the event that the complainant in this matter subsequently files suit pursuant to 52 U.S.C. § 30109(a)(8).

Commissioners Hunter, Petersen, and Walther voted affirmatively for the motion.

Commissioner Weintraub dissented.

16. Decided by a vote of 4-0 to:

MUR 7304 (Hillary Victory Fund)

a. Close the File.
b. Send the appropriate letters.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

4/29/19

Date

Laura E. Sinram

Laura E. Sinram
Deputy Secretary of the Commission