



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Fennell
101 Broadway, Suite 222
Oakland, CA 94607

MAY - 3 2017

RE: MUR 7195

Dear Mr. Fennell:

The Federal Election Commission reviewed the allegations in your complaint received by the Commission on November 8, 2016. Based upon the information provided in the complaint, the Commission found that there was no reason to believe that Nicholas Rice-Sanchez violated the Act and the Commission's regulations with respect to the allegations in this matter. Accordingly, the Commission closed its file on April 20, 2017. The Factual and Legal Analysis, which more fully explains the basis for the Commission's decision is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). The Factual and Legal Analysis, which more fully explains the Commission's finding, is enclosed for your information.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 52 U.S.C. § 30109(a)(8).

If you have any questions, please contact Wanda D. Brown, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

BY: 
Jeff S. Jordan
Assistant General Counsel

Enclosure: Factual and Legal Analysis

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Nicholas Rice-Sanchez MUR 7195

I. INTRODUCTION

This matter was generated by a Complaint making numerous wide-ranging allegations involving election fraud, delegate rigging, and campaign infiltration by "paid Democratic operatives."¹ It was scored as a relatively low-rated matter under the Enforcement Priority System, a system by which the Commission uses formal scoring criteria as a basis to allocate its resources and decide which matters to pursue.

II. FACTUAL AND LEGAL ANALYSIS

The Complaint maintains that Democratic donors and political operatives hired individuals to pose as Republicans in order to illegally acquire Republican delegate seats and block candidates, and to infiltrate the campaigns of Republican candidates in order to "shut down campaign offices."²

The Complaint also alleges that Democratic operatives paid Respondent Nicholas Rice-Sanchez to pose as Sarah Palin's Executive Director at her San Mateo County 2008 McCain-Palin Victory Center, and that Rice-Sanchez, a Democratic activist, and his associates embezzled

¹ Compl. at 1-2. The Complaint alleges that these "operatives" are paid by a group of donors he terms "Friends of Chelsea [Clinton]." The Complaint does not name these individuals, and also alleges that the group is "faking their data making billions in illegal stock gains and government contracts."

² Compl. at 2-3. The Complaint alleges that Democratic operatives have infiltrated both Donald Trump's campaign and Sarah Palin's political operations and that these "operatives" prevented Republican candidates from running against Kamala Harris in the 2016 California race for U.S. Senate. The Complainant attaches a list of Republican organizations and individuals, as well as attorneys and judges, that he names "Respondents," but does not discuss how they are related to the allegations. Compl. Attach. 1.

1 funds from the McCain-Palin office and from a \$1,000 a plate fundraiser brunch held in October
2 2008.³

3 To the extent that any of the allegations fall under the Commission's jurisdiction, those
4 allegations are speculative and, further, most are beyond the five-year statute of limitations.⁴

5 Accordingly, the Commission found no reason to believe that Nicholas Rice-Sanchez violated
6 the Act or the Commission's regulations and closed the file.

³ *Id.* The Complainant also attaches articles referencing Nicholas Rice-Sanchez's conviction for embezzlement related to his position with the San Jose's Billy DeFrank LGBT Community Center in 2011. Compl. Attach. 4-6.

⁴ See 28 U.S.C § 2462.