



FEDERAL ELECTION COMMISSION
Washington, DC 20463

October 19, 2021

Via Email and First Class Mail

Email: cg@gobergroup.com

Chris Gober
Managing Partner
The Gober Group
14425 Falcon Head Blvd.
Bldg E., Suite 100
Austin, TX 78738

RE: MUR 7406
Heller for Senate

Dear Mr. Gober:

On October 6, 2021, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 52 U.S.C. §§ 30118 and 30122, provisions of the Federal Election Campaign Act of 1971, as amended. Heller for Senate has also disgorged the improper contributions to the U.S. Treasury. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Christine C. Gallagher".

Christine C. Gallagher
Attorney

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 7406
Heller for Senate and)	
Chrissie Hastie in her official capacity as treasurer)	
)	

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FEDERAL ELECTION
COMMISSION

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by the Nevada State Democratic Party by Alana Mounce, its Executive Director. The Federal Election Commission ("Commission") found reason to believe that Heller for Senate and Chrissie Hastie in her official capacity as treasurer ("Committee" or "Respondent"), violated 52 U.S.C. §§ 30118 and 30122.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Heller for Senate is a political committee within the meaning of 52 U.S.C. § 30101(4).

2. Chrissie Hastie is the treasurer of Heller for Senate.

3. No person shall make a contribution in the name of another person or knowingly permit his or her name to be used to make such a contribution, and no committee shall knowingly accept a contribution made by one person in the name of another person. *See* 52 U.S.C. § 30122.

4. It is unlawful for corporations to contribute to candidates, and candidates and authorized committees are prohibited from knowingly accepting or receiving such contributions. *See* 52 U.S.C. § 30118.

5. The Commission's regulations provide that if a political committee treasurer in exercising his or her responsibilities under 11 C.F.R. § 103.3(b) determined that at the time a contribution was received and deposited, it did not appear to be made by a corporation or in the name of another, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund the contribution to the contributor within thirty days of the date on which the illegality is discovered. 11 C.F.R. § 103.3(b)(2). If the political committee does not have sufficient funds to refund the contribution at the time the illegality is discovered, the political committee shall make the refund from the next funds it receives. *Id.* In the alternative, the political committee may disgorge an amount equal to the amount of the illegal contributions, where the contributor unlawfully made the contributions. Advisory Opinion 1996-05 (Jay Kim for Congress).

6. In a previous enforcement matter, MUR 7248, the Commission found, *inter alia*, reason to believe the Cancer Treatment Centers of America Global, Inc. ("CTCA") violated 52 U.S.C. §§ 30118 and 30122 by making prohibited corporate contributions in the name of another person when it reimbursed with corporate funds the political contributions of its executives. As part of the terms of the conciliation agreement in MUR 7248, CTCA waived any

rights it may have had to a refund of the illegal contributions discussed in the conciliation agreement and CTCA was required to “seek disgorgement of all such funds from all recipient candidates and committees to the U.S. Treasury.” *See* MUR 7248 Conciliation Agreement ¶ VI.3 (July 28, 2017). By letter dated August 18, 2017, as part of the resolution of MUR 7248, CTCA notified the Committee that it was a recipient of some of CTCA’s illegal contributions, and instructed the Committee to disgorge \$27,500, the amount of such contributions, to the U.S. Treasury.

7. The Committee received illegal contributions, and should have disgorged \$27,500 to the U.S. Treasury within thirty (30) days of its receipt of CTCA’s August 18, 2017 letter, but the Committee failed to do so.

V. Respondent knowingly accepted \$27,500 in corporate contributions made in the names of others from the Cancer Treatment Centers of America Global, Inc. in violation of 52 U.S.C. §§ 30118 and 30122 by failing to disgorge the illegal contributions within thirty (30) days of receiving notice of the illegal nature of the contributions.

VI. 1. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Ten Thousand Dollars (\$10,000), pursuant to 52 U.S.C. § 30109(a)(5)(A).

2. Respondent will disgorge \$27,500 to the U.S. Treasury.

3. Respondent will cease and desist from violating 52 U.S.C.

§§ 30118 and 30122.

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any

MUR 7406 (Heller for Senate)
 Conciliation Agreement
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requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.


FOR THE COMMISSION:

Lisa J. Stevenson
 Acting General Counsel

BY: Charles Kitcher
 Charles Kitcher
 Acting Associate General Counsel
 for Enforcement

10/19/21
 Date

FOR THE RESPONDENT:


 Name: CHERSIE HASTE
 Position: TREASURER

10/31/21
 Date