



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 06 2019

N. Bradley Litchfield, Esq.
Oldaker & Willison, LLP
818 Connecticut Avenue, NW, Suite 1100
Washington, DC 20006

RE: MUR 7456
American Federation of Teachers,
AFL-CIO Committee on Political
Education and Lorretta Johnson in
her official capacity as treasurer

Dear Mr. Litchfield:

On August 29, 2019, the Federal Election Commission accepted the signed conciliation agreement you submitted on behalf of the American Federation of Teachers, AFL-CIO Committee on Political Education and Lorretta Johnson in her official capacity as treasurer, in settlement of a violation of 52 U.S.C. § 30104(b)(2) and (4), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Dominique Dillenseger".

Dominique Dillenseger
Attorney

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 7456
American Federation of Teachers, AFL-CIO)
Committee on Political Education and Lorretta)
Johnson in her official capacity as treasurer)

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OFFICE OF
GENERAL COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Based on information obtained by the Commission about the Committee's activity during the 2016 and 2018 election cycles, the Commission found reason to believe that American Federation of Teachers, AFL-CIO Committee on Political Education and Lorretta Johnson in her official capacity as treasurer ("Respondents" or "Committee") violated 52 U.S.C. § 30104(b)(2) and (4).

NOW, THEREFORE, the Commission and the Respondents, 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 Respondents 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. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. The Committee is the separate segregated fund of the American Federation of Teachers, AFL-CIO.

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2. Lorretta Johnson is the treasurer of the Committee.
3. The Federal Election Campaign Act of 1971, as amended, requires committee treasurers to file reports of receipts and disbursements in accordance with the provisions of 52 U.S.C. § 30104. 52 U.S.C. § 30104(a)(1); 11 C.F.R. § 104.1(a).
4. These reports must include, *inter alia*, the total amount of receipts and disbursements, including the appropriate itemizations, where required. See 52 U.S.C. § 30104(b)(2), (4); 11 C.F.R. § 104.3(a), (b).
5. On September 20, 2016, the Committee filed its original 2016 September Monthly Report, which disclosed \$248,500 in disbursements. On October 26, 2016, the Committee filed an Amended 2016 September Monthly Report, disclosing an additional \$125,000 disbursement to a non-federal political organization. On January 8, 2017, the Committee filed an Amended 2016 July Monthly Report disclosing a voided check disbursement of \$3,500 made on June 30, 2016; the check void was not correctly entered on the amended July report, which resulted in an inaccurate disbursements total.
6. On October 27, 2016, the Committee filed its original 2016 12-Day Pre-General Report, which disclosed available cash on hand of \$4,181,494 at the beginning of the reporting period, \$7,890 in receipts, and \$780,007 in disbursements. On January 8, 2017, the Committee filed an Amended 2016 12-Day Pre-General Report, disclosing an additional \$370,229 in receipts and \$103,308 in disbursements. These additional disbursements included a \$100,000 disbursement to a non-federal political organization. A subsequent amendment filed on January 31, 2017, reduced the additional receipts to \$370,087.
7. On December 8, 2016, the Committee filed its original 2016 30-Day Post-General Report, which disclosed available cash on hand of \$3,409,377 at the beginning of the

reporting period, \$67,878 in receipts, and \$652,880 in disbursements. On January 8, 2017, the Committee filed an Amended 2016 30-Day Post-General Report, disclosing an additional \$364,479 in receipts and \$105,000 in disbursements. These additional disbursements included donations to non-federal political organizations and one \$50,000 contribution to an independent expenditure-only political committee, which was timely reported by that committee.

8. On May 11, 2017, the Committee filed its original 2017 30-Day Post-Special (Kansas) Report, which disclosed \$1,247,608 in unitemized contributions from individuals. On June 10, 2017, the Committee filed an Amended 2017 30-Day Post-Special Report, disclosing an additional \$114,750 in receipts.

9. The Commission did not find that Respondents' violation of the reporting provisions was knowing and willful.

V. Respondents violated 52 U.S.C. § 30104(b)(2) and (4) by failing to timely disclose all Committee receipts and disbursements.

VI. Respondents will take the following actions:

1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Thirty-Four Thousand Dollars (\$34,000) pursuant to 52 U.S.C. § 30109(a)(5)(A).

2. Respondents will cease and desist from committing violations of 52 U.S.C. § 30104(b)(2) and (4).

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

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.

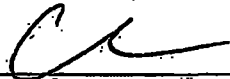
IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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
Acting Associate General Counsel
for Enforcement

9/5/19

Date

FOR THE RESPONDENTS:



N. Bradley Litchfield, Partner
Oldaker & Willison, PLLC

Aug 19, 2019

Date