



**FEDERAL ELECTION COMMISSION**

January 27, 2022

**MEMORANDUM**

**TO:** The Commission

**FROM:** Lisa J. Stevenson  
Acting General Counsel

Charles Kitcher CK by eip  
Associate General Counsel for Enforcement

Saurav Ghosh SG by eip  
Acting Assistant General Counsel for Enforcement

**BY:** Elena Paoli *eip*  
Attorney

**SUBJECT:** MUR 7587 (Bernard Sanders, *et al.*) Pre-Probable Cause Conciliation

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On March 9, 2021, the Commission found reason to believe that Senator Bernard Sanders, Bernie 2016 and Susan Jackson in her official capacity as treasurer, and Bernie 2020 and Lora Haggard in her official capacity as treasurer violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g) and (i).<sup>1</sup> The Commission also approved a conciliation agreement and authorized pre-probable cause conciliation with Sanders and his committees.<sup>2</sup>

For the reasons provided herein, we recommend that the Commission accept the attached, signed conciliation agreement, which contains an admission of the violation, a cease-and-desist clause as to the committees,

**I. PROCEDURAL BACKGROUND**

On August 31, 2021, this Office forwarded an email from counsel for the Respondents requesting that the Commission consider a counteroffer conciliation agreement with a symbolic

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<sup>1</sup> Certification, MUR 7587, Part 3.a. (Apr. 7, 2021). The Factual and Legal Analysis for Respondents was approved on April 15, 2021. Certification, MUR 7587 (Apr. 20, 2021).

<sup>2</sup> *Id.*, Parts 3.b, c.

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We believe this settlement vindicates the Commission's enforcement interests and represents an acceptable resolution of the matter, particularly in light of facts sympathetic to the Respondents, as well as the Respondents' represented willingness to litigate the application of the Act to DACA participants absent a negotiated resolution of the matter. Accordingly, we recommend that the Commission accept the signed conciliation agreement and close the file.

**RECOMMENDATIONS:**

1. Accept the attached conciliation agreement;
2. Approve the appropriate letter; and
3. Close the file.

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<sup>7</sup> Bernie 2016's activity started expiring August 14, 2021, and fully expired on October 15, 2021. These dates, plus tolling, reflect the last salary payments made to the three employees in the 2016 cycle.