Digitally signed by Kathryn Ross Date: 2019.05.10

Donna García Davidson ATTORNEY AND COUNSELOR AT LAW P.O. BOX 12131 AUSTIN, TEXAS 78711

Telephone: 512.775.7625 Toll Free Fax: 877.200.6001 E-mail: donna@dgdlawfirm.com Website: www.dgdlawfirm.com

May 9, 2019

Via Email: cela@fec.gov
Federal Election Commission
Office of Complaints Examination
& Legal Administration
Attn: Kathryn Ross, Paralegal
1050 First Street, NE
Washington, DC 20463

Re: Wayne Christian for Texas; MUR 7594

Dear Ms. Ross:

On behalf of my client, Wayne Christian, we respectfully request that the above-referenced Complaint be dismissed as it does not warrant the use of Commission resources. There is no basis in fact or law for this Complaint against my client.

The Complaint alleges that my client, among many others, may have solicited, accepted, or received a contribution from a foreign national in violation of federal law. As you may know, the Texas Ethics Commission's rules also prohibit contributions from foreign nationals. As we clearly demonstrate with the enclosed exhibits, the contribution was from a political action committee (PAC) that has long been registered with the Texas Ethics Commission.

In light of the evidence presented in the exhibits and the sworn facts, we respectfully request dismissal of the Complaint against my client.

Sincerely,

Donna García Davidson

Attorney and Counselor at Law

Enclosures: Exhibits A-C

EXHIBIT A

FEC COMPLAINT MUR 7594 WAYNE CHRISTIAN AFFIDAVIT

State of Texas

§

County of Shelby

§

BEFORE ME, the undersigned authority, personally appeared Wayne Christian, a person known to me or identified to me by his Texas driver's license, who upon his oath stated:

I, Wayne Christian, hereby file this Response to the Federal Election Commission's (FEC) Complaint identified as MUR 7594. I swear, under penalty of perjury, that I have read the Response prepared by my attorney.

I swear that all the factual statements made in this Affidavit and in the Response are in all things true and correct. I have never solicited contributions from any foreign national and my campaign would never do so. I have personal knowledge of the statements made in the Response and am fully and legally capable of making this Affidavit. I respectfully request that the FEC dismiss the Complaint as it is without merit.

Further affiant sayeth not.

WAYNE CHRISTIAN

SWORN AND SUBSCRIBED by Wayne Christian on this ______ day of May, 2019, to witness which my hand and official seal of office.

SHANNA GOODNIGHT Notary ID #129909759 My Commission Expires August 5, 2022

lotary Public in and for the state of Texas

EXHIBIT B

Texas Ethics Commission P.O. Box 12070 Austin, Texas 78711-2070 (512) 463-5800

1-800-325-8506

APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE

FORM GTA PG 1

See GTA Instruction	See GTA INSTRUCTION GUIDE for detailed Instructions.		OFFICE USE ONLY					
			Acct. # 63939					
COMMITTEE NAME	Spectra Energy Corp Political Action C	Committee	RECEIVED					
3) ACRONYM	Spectra DCP PAC	ς	APR 1 4 2008					
COMMITTEE ADDRESS	ADDRESS / PO BOX, APT/SUITE #; 6 5400 Westheimer Court	OTY; STATE, ZIP CODE	Texas Ethics Commission					
5 REPORTING TYPE	REGULAR	MONTHLY PRO	Data Processed CESSED APR 1 4 2008					
CAMPAIGN TREASURER NAME	MS. Anne N. Moore	MI NICKNAME	LAST SUFFIX					
CAMPAIGN TREASURER STREET ADDRESS (Residence or business)	STREET ADDRESS (NO POBOX PLEASE): APT/SUI 5400 Westheimer Court Houston, TX 77056	TE#: CITY; STATE;	ZIP CODE					
E CAMPAIGN TREASURER MAILING ADDRESS serrie as above	ADDRESS / POBOX: APT/SUITE#; Control of the control	CITY; STATE; ZIP CODE						
CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER (713) 627-4555	EXTENSION						
10 PERSON APPOINTING TREASURER	Brenda B. Wisniewski	AI LAST	SUFFIX					
SIGNATURE	I understand that I have been appoint committee and that I am responsible tines for failure to do so. I am aware of from corporations and labor organization	ted as the campaign treasure for filing all required reports a of the restrictions in title 15 of the ns.	nd that I may be subject to					
ASSISTANT CAMPAIGN TREASURER	Ritu K. Talwar	AI LAST	SUFFIX					
ASSISTANT CAMPAIGN TREASURER ADDRESS	ADDRESS / PO BOX; APT / SUITE #; C 5400 Westheimer Court, Suite 6O-45 Houston, TX 77056	RTY; STATE; ZIP CODE						
ASSISTANT CAMPAIGN TREASURER PHONE	AREA CODE PHONE NUMBER (713) 989-1784	EXTENSION						
	CONTINUE ON PAGE 2 This appointment is effective on the date it is filled with the commission.							

Texas Ethics Commission P.O. Box 12070 Austin, Texas 78711-2070

(512) 463-5800

1-800-325-8506

GENERAL-PURPOSE COMMITTEE:

FORM GTA PG2

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(512) 463-5800 Texas Ethics Commission P.O. Box 12070 Austin, Texas 78711-2070 1-800-325-8506

#### GENERAL-PURPOSE COMMITTEE:

FORM GTA

#### **RECIPIENT COMMITTEES**

PG3

19 COMMITTEENAME					
Spectra Energy Corp Political Action Committee					
201	Committeename				
RECIPIENT GENERAL PURPOSE COMMITTEES	Committee address; City, State; Zip Code				
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### **TEXAS ETHICS COMMISSION**

P.O. Box 12070, Capitol Station Austin, Texas 78711-2070

Tom Harrison Chair

Ross Fischer Vice Chair

David A. Reisman Executive Director



Commissioners

Raymond R. "Tripp" Davenport, III
Wilhelmina Delco
Jim Graham
Paula M. Mendoza
David Montagne
Nicholas C. Taylor

April 14, 2008



Ms. Anne N. Moore 5400 Westheimer Court Houston, Texas 77056

PROCESSED APR 1 4 2008

ETHICS COMMISSION ACCOUNT #

**COMMITTEE NAME** 

ASSISTANT TREASURER

DOCUMENT TYPE RECEIVED

EFFECTIVE DATE FILING SCHEDULE

.: 00063939

: Spectra Energy Corp Political Action Committee

: Ritu K. Talwar

: Appointment Of A Campaign Treasurer

By A General-Purpose Committee

: April 4, 2008

: Regular

Dear Ms. Moore:

The Ethics Commission has received the document referenced above appointing you as the committee's campaign treasurer. Please use the committee's Ethics Commission account number on all correspondence and documents that you submit to the Ethics Commission.

**Reporting Requirements.** You must file semiannual reports with the Ethics Commission not later than January 15 and July 15 of each year. Other reports are required in connection with elections. You should review the appropriate Ethics Commission campaign finance guide for more detailed information about filing requirements.

Note: You will be required to file reports until a campaign finance report designated as a "Dissolution Report" and the "Political Committee Affidavit of Dissolution" is filed, or you submit a written notice to the Texas Ethics Commission that you are resigning as treasurer.

Late-Filing Penalties. As the committee's campaign treasurer, you are personally responsible for filing the committee's reports and for any late-filing penalties in connection with the committee's reports. The late-filing penalty for most reports is \$500. For a report due eight days before an election and for the first semiannual report required to be filed after a primary election or after a general election, the late-filing penalty is \$500 for the first day the report is late and \$100 for each day thereafter that the report is late.

Come visit our home page at http://www.ethics.state.tx, us on the Internet.

(512) 463-5800 • 1-800-325-8506 • FAX (512) 463-8808 • TDD 1-800-735-2989

The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services

Forms, Schedules, and Guides. Forms, filing schedules, and guides are available on the Ethics Commission website at http://www.ethics.state.tx.us on the Internet. You are responsible for obtaining forms for filing reports and you should review the following information on our website.

- 1. Filing Schedule: www.ethics.state.tx.us/filinginfo/pacfilesch.htm Use the applicable annual filing schedule to determine when you will be required to file reports. Although the Ethics Commission may send notices to remind you of certain filing deadlines, it is your responsibility to make sure you file all required reports.
- 2. Electronic Filing Information: www.ethics.state.tx.us/whatsnew/elf_filing_info.htm Review this information to help you determine whether you are required to file electronically. If you are required to file electronically, you must submit the enclosed Form PASS.
- 3. Political Advertising Guide: www.ethics.state.tx.us/pamphlet/G03polad.htm Review this guide to help you understand carrier laws relating to political advertising.
- 4. Campaign Finance Guide for Political Committees: www.ethics.state.tx.us/guides/pac_guide.pdf Review this guide to help you understand the restrictions and filing requirements in the campaign finance law.

Qualified Paper Filers. The forms and instructions you may need are available on the Ethics Commission website at www.ethics.state.tx.us/filinginfo/g&mpacfrm.htm on the Internet.

Please call our office at (800) 325-8506 or (512) 463-5800 if you have questions.

Sincerely,

Becky L()Levy

Director, Disclosure Filing Division

BLL/rld

**Enclosure** 

P.O. Box 12070

Austin, Texas 78711-2070

(512) 463-5800

		NT: APPOINTMENT OF A CAMPAIGN BY A GENERAL-PURPOSE COMMITTEE	FORM AGTA PG 1
	Sec	AGTA Instruction Guide for detailed instructions.	1 Total pages filed: 3
2		TE Corp Political Action Committee  3 ACCOUNT # 00063939	OFFICE USE ONLY
4	COMMITTEE NAME	NEW	Date Receive RECEIVED
5	ACRONYM	NEW	MAR 23 2 <b>012</b>
5	ACRONTIVI	Spectra-DCP PAC	Texas Ethics Commission
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7	REPORTING TYPE	NEW REGULAR MONTHLY	ESSED MAR 23 2017 Date Imaged
8	CAMPAIGN TREASURER NAME	NEW MS/MRS/MR FIRST MI NICKNAME  Ms. Ritu Ta	LAST SUFFIX
9	CAMPAIGN TREASURER STREET ADDRESS (residence or business)	NEW STREET ADDRESS (NO PO BOX PLEASE); APT / SUITE #; CITY; STATE;	ZIP CODE
10	CAMPAIGN TREASURER MAILING ADDRESS Same as above	NEW ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	
11	CAMPAIGN TREASURER PHONE	( 713 )989-1784	×
12	PERSON APPOINTING TREASURER	FIRST MI LAST Spectra Energy Corp Political Action Committee Bo	SUFFIX Oard (Spectra-DCP PAC)
13	SIGNATURE	I understand that I have been appointed as the campaign treasured committee and that I am responsible for filing all required reports a fines for failure to do so. I am aware of the restrictions in title 15 of the from corporations and labor organizations.  Signature of Ca	and that I may be subject to
14	ASSISTANT CAMPAIGN TREASURER	NEW FIRST MI LAST Craig Hicks	SUFFIX
15	ASSISTANT CAMPAIGN TREASURER ADDRESS	NEW ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE 5400 Westheimer Ct. Houston, TX 77056	
16	ASSISTANT CAMPAIGN TREASURER PHONE	( 713 ) 627-5749	
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P.O. Box 12070

Austin, Texas 78711-2070

(512) 463-5800

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P.O. Box 12070

Austin, Texas 78711-2070

(512) 463-5800

AMENDMENT: RECIPIENT COMMIT	GENERAL-PURPOSE COMMITTEE TEES	FORM AGTA PG 3
22 COMMITTEE NAME		23 ACCOUNT#
	Corp Political Action Committee	00063939
24 RECIPIENT GENERAL PURPOSE COMMITTEES	Committee address; City; State;	Zip Code
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MAR 23 2012

**Texas Ethics Commission** 



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## TEXAS ETHICS COMMISSION Ock Ltd

P.O. Box 12070, Capitol Station Austin, Texas 78711-2070

Tom Ramsay Chair

Jim Clancy Vice Chair

David A. Reisman **Executive Director** 



March 23, 2012

Commissioners

Hugh C. Akin Tom Harrison Paul W. Hobby Bob Long Paula M. Mendoza Chase Untermeyer

PROCESSED MAR 2 3 2012

Ms. Ritu Talwar 5400 Westheimer Ct. Houston, Texas 77056

ETHICS COMMISSION ACCOUNT #

**COMMITTEE NAME** 

ASSISTANT TREASURER

DOCUMENT TYPE RECEIVED

: 00063939

: Spectra Energy Corp PAC

: Craig Hicks

: Amendment: Appointment of a Campaign Treasurer by a

General-Purpose Committee

EFFECTIVE DATE

: March 22, 2012

FILING SCHEDULE

: Regular

Dear Ms. Talwar:

The Ethics Commission has received the document referenced above appointing you as the committee's campaign treasurer. Please use the committee's Ethics Commission account number on all correspondence and documents that you submit to the Ethics Commission.

Reporting Requirements. You must file semiannual reports with the Ethics Commission not later than January 15 and July 15 of each year. These reports must be filed even if there was no activity during the reporting period. Other reports are required in connection with elections. You should review the appropriate Ethics Commission campaign finance guide and filing schedule for more detailed information about filing requirements.

Note: You will be required to file reports until a campaign finance report designated as a "Dissolution Report" and the "Political Committee Affidavit of Dissolution" is filed, or you submit a written notice to the Texas Ethics Commission that you are resigning as treasurer.

Late-Filing Penalties. As the committee's campaign treasurer, you are personally responsible for filing the committee's reports and for any late-filing penalties in connection with the committee's reports. The late-filing penalty for most reports is \$500. For a report due eight days before an election and for the first semiannual report required to be filed after a primary election or after a general election, the late-filing penalty is \$500 for the first day the report is late and \$100 for each day thereafter that the report is late.



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**Forms, Schedules, and Guides.** Forms, filing schedules, and guides are available on the Ethics Commission's website at <a href="http://www.ethics.state.tx.us">http://www.ethics.state.tx.us</a> on the Internet. You are responsible for obtaining forms for filing reports and you should review the following information on our website:

- 1. Filing Schedule: www.ethics.state.tx.us/filinginfo/pacfilesch.htm Use the applicable annual filing schedule to determine when you will be required to file reports. Although the Ethics Commission may send notices to remind you of certain filing deadlines, it is your responsibility to make sure you file all required reports.
- 2. Electronic Filing Information: www.ethics.state.tx.us/whatsnew/elf_filing_info.htm Review this information to help you determine whether you are required to file electronically. If you are required to file electronically, you must submit the enclosed Form PASS.

If you are filing electronically, please fill out and send to us the enclosed Form PASS to obtain a new password. The previous treasurer's password is no longer valid.

- 3. Political Advertising Guide: www.ethics.state.tx.us/guides/G08polad.htm Review this guide to help you understand certain laws relating to political advertising.
- 4. Campaign Finance Guide for Political Committees: **www.ethics.state.tx.us/guides/pac_guide.pdf** Review this guide to help you understand the restrictions and filing requirements in the campaign finance law.

Qualified Paper Filers. The forms and instructions you may need are available on the Ethics Commission's website at www.ethics.state.tx.us/filinginfo/g&mpacfrm.htm on the Internet.

Please call our office at (512) 463-5800 if you have questions.

Sincerely,

Becky L. Levy

Director, Disclosure Filings Division

Bechy L. Lew

BLL/cmp

Enclosure



Texas Ethics Commiss	ion P.O. Box 12070	Austin, Texas 78711-2	070 (512) 463	-5800 (TDD 1-800-735-2989)
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2 COMMITTEE NAM Spectra Energy Corp	ME Political Action Committee (Spec		COUNT #	OFFICE USE ONLY
4 COMMITTEE NAME	Enbridge (U.S.) Inc. Political		03737	Date Received CEIVED
5 ACRONYM	Enbridge-DCP PAC			MAR 10 2017  AE Yexas - thics Commission
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www.ethics.state.tx.us

Revised 09/01/2003



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fax

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MAR 10 2017

Texas Ethics Commission

To: Michelle	From: Ritu Talwar/Enbridge, line.
Organization: TX Ethics Commission	No of pages (including this cover):
Department:	Date: 3-10-17
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Austin, Texas 78711-2070

(512) 463-5800

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## **AMENDMENT:** APPOINTMENT OF A CAMPAIGN TREASURER BY A GENERAL-PURPOSE COMMITTEE

FORM AGTA
PG 1

TREASURER BY A CENERAL-FOR COL COMMITTEE									
	See	1 Total pages filed:							
	COMMITTEE NAMI Enbridge (U.S.) Inc. Po	E 3 ACCOUNT # 00063939	OFFICE USE ONLY						
4	COMMITTEE NAME	Enbridge (U.S.) Inc. Political Action Committee	MAR 1 0 2017						
5	ACRONYM	Enbridge-DCP PAC	Texas Ethics Commission						
6	COMMITTEE ADDRESS	NEW ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	Mar 8 2017 OCCESSED MAR 102017						
7	REPORTING TYPE	NEW REGULAR MONTHLY	Date Imaged						
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12	PERSON APPOINTING TREASURER	FIRST MI LAST	SUFFIX						
	SIGNATURE	I understand that I have been appointed as the campaign treas committee and that I am responsible for filing all required reports fines for failure to do so. I am aware of the restrictions in title 15 of the from corporations and labor organizations.	and that I may be subject to						
14	ASSISTANT CAMPAIGN TREASURER	NEW FIRST MI LAST	SUFFIX						
15	ASSISTANT CAMPAIGN TREASURER ADDRESS	NEW ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE	19						
16	ASSISTANT CAMPAIGN TREASURER PHONE	NEW AREA CODE PHONE NUMBER EXTENSION							
_	CONTINUE ON PAGE 2								

This appointment is effective on the date it is filed with the commission.

D100950320

P.O. Box 12070

Austin, Texas 78711-2070

(512) 463-5800

AMENDME	FORM AGTA				
CONTROLLIN		PG <b>2</b>			
17 COMMITTEE NAM	18 ACCOUNT#				
Enbridge (U.S.) Inc		00063939			
19 CONTROLLING		FULL NAME OF CONTROLLING	G ENTITY		
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# **EXHIBIT C**

**Enbridge DCP PAC** 5400 Westheimer Court Houston Texas 77056

#### April 26, 2019

Candidate or political Committee [address]
[city, state]
[P.O. Box 1205]
Colonial Heights, VA 23834]

Re: Complaint filed with the Federal Election Commission by Alexander Austin with respect to Enbridge-DCP PAC – MUR 7594

To whom it may concern:

As you may be aware, Alexander Austin, an individual residing in Colorado, has submitted a complaint to the Federal Election Commission (FEC) with respect to Enbridge (U.S.) Inc. Political Action Committee (Enbridge-DCP PAC) (which was formerly known as Spectra Energy Corp Political Action Committee (Spectra-DCP PAC)).

The complaint is focused on the fact that Enbridge (U.S.) Inc., which sponsors Enbridge-DCP PAC, is a subsidiary of Enbridge Inc., a Canadian company.

Enbridge Inc. is a Canadian corporation with its common shares publically traded on the Toronto and New York stock exchanges under the symbol "ENB." Enbridge Inc. is one of North America's largest energy infrastructure companies with strategic business platforms (owned and operated through its subsidiaries) that include an extensive network of crude oil, liquids and natural gas pipelines, regulated natural gas distribution utilities and renewable power generation assets. Enbridge (U.S.) Inc. is a Delaware corporation and a wholly owned subsidiary of Enbridge Inc. Enbridge (U.S.) Inc.'s principal place of business is located in Houston, Texas, and, through its subsidiaries, has approximately 3,500 employees in the U.S., who safely maintain and operate Enbridge's assets across 41 U.S. states.

Please be assured that the operations of the Enbridge-DCP PAC are in full compliance with federal law and regulations, which allow the U.S. subsidiaries of foreign companies to sponsor PACs, have such PACs solicit contributions from eligible U.S. citizens and green card holders, and have such PACs make contributions to U.S. political committees. Many U.S. subsidiaries of foreign companies sponsor PACs and engage in such activities. The law is clear in this area, and we are confident the complaint will be dismissed.

Unfortunately, the complaint identified not only the Enbridge-DCP PAC but also many of the federal and state political committees to which the Enbridge-DCP PAC made contributions to over several years. This included your committee, and the FEC was therefore obligated to notify your committee of the complaint. You likely received a letter from Jeff Jordan, the FEC's Assistant General Counsel, in recent days.

As the letter explains, at this preliminary stage the FEC is given an opportunity to determine if there is any reason to believe that a possible violation has occurred. Only if the FEC reach that conclusion would the FEC open an investigation into the matter.

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Enbridge (U.S.) Inc. will respond to the complaint on our behalf and seek to demonstrate that there is no reason for the FEC to believe that any violation has occurred. Other parties mentioned in the complaint, including your committee, are provided a chance to respond at this preliminary stage too, but a response is not required. If your committee chooses to respond, as the letter explains, your committee may request an extension of the 15-day response deadline referenced in the letter.

If you have any questions about this matter, please feel free to contact Adam Parker at 202-347-3386 or adam.parker1@enbridge.com.

Sincerely,

Adam Parker

Enbridge-DCP PAC Manager