



FEDERAL ELECTION COMMISSION

MEMORANDUM

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4 **TO:** The Commission
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6 **FROM:** Lisa J. Stevenson
7 Acting General Counsel
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9 Charles Kitcher
10 Associate General Counsel for Enforcement
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12 Jin Lee
13 Deputy Associate General Counsel
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15 **BY:** Peter G. Blumberg *PGB*
16 Assistant General Counsel
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18 Aaron Rabinowitz *AR*
19 Attorney
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21 **SUBJECT:** MURs 7631, 7634 (De Blasio 2020 *et al.*) Recommendation to Accept the Signed
22 Conciliation Agreement
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24 On August 11, 2022, the Commission found reason to believe that: (1) Fairness PAC and
25 Herbert Block in his official capacity as treasurer (“Fairness PAC”) violated 52 U.S.C.
26 § 30116(a) by making excessive contributions to De Blasio 2020 and Herbert Block in his
27 official capacity as treasurer (“De Blasio 2020”) and Bill de Blasio with respect to \$123,000 in
28 polling expenses; (2) NY Fairness PAC violated 52 U.S.C. § 30116(a) by making excessive
29 contributions to De Blasio 2020 and Bill de Blasio with respect to \$53,000 in expenditures for
30 travel and consulting services; (3) De Blasio 2020 and Herbert Block in his official capacity as
31 treasurer and Bill de Blasio violated 52 U.S.C. § 30116(f) by accepting excessive contributions
32 from NY Fairness PAC and Fairness PAC; and (4) De Blasio 2020 violated 52 U.S.C.
33 § 30104(a) and (b) and 11 C.F.R. §§ 100.72(a) and 100.131(a) by failing to report \$176,000 in
34 in-kind contributions and expenditures.¹ The Commission also authorized pre-probable cause
35 conciliation and directed the Office of General Counsel to draft an appropriate conciliation
36 agreement and to submit it for Commission approval.² On October 18, 2022, the Commission

¹ Certification (“Cert.”) at ¶ 4.a-d (Aug. 12, 2022).

² *Id.* at ¶ 4.f-g.

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1 approved three proposed Conciliation Agreements for, respectively De Blasio 2020 and Bill de
2 Blasio, Fairness PAC, and NY Fairness PAC (collectively, “Respondents”).³

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³ Cert. (Oct. 19, 2022).

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13 Under these circumstances, we recommend that the Commission
14 accept the signed conciliation agreement and close the file.

15 **RECOMMENDATIONS:**

- 16 1. Accept the attached conciliation agreement;
17 2. Take no further action as to Bill de Blasio;
18 3. Approve the appropriate letters; and
19 4. Close the file.

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