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July 14, 2020

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VIA E-MAIL
CELA@fec.gov

Jeff S. Jordan, Esq.
Assistant General Counsel
Complaints Examination & Legal Administration
Federal Election Commission
1050 First Street, NE
Washington, D.C. 20463

Re: MUR 7754

Dear Mr. Jordan:

We write as counsel to SMP and Rebecca Lambe, in her official capacity as Treasurer (collectively, “Respondents”), in response to a notification sent by the Federal Election Commission (“FEC” or the “Commission”) on June 29, 2020. The notification stated that the complaint (“Complaint”) in MUR 7754 indicates Respondents may have violated the Federal Election Campaign Act of 1971, as amended (the “Act”). However, the Complaint makes no such allegation.

The Complaint alleges that “Pacific Atlantic Action Coalition (“PAAC”), Pacific Environmental Coalition (“PEC”), and any person(s) who created, operated, and/or made contributions to or in the name of PAAC or PEC” may have violated the Act.¹ The Complaint only references Respondents in passing as the unwitting recipients of funds from those entities.² The Complaint does not allege that Respondents committed a violation of the Act or Commission regulations.³ Furthermore, the Complaint does not allege facts that, if true, would constitute a violation of the Act or Commission regulations by Respondents.⁴

The Act requires that the Commission find “reason to believe that a person has committed, or is about to commit, a violation” of the Act as a precondition to opening an investigation into the alleged violation.⁵ In turn, the Commission may find “reason to believe” only if a

¹ Compl. ¶ 1.

² *Id.* ¶ 2.

³ See 11 C.F.R. § 111.4(d)(1).

⁴ See *id.* § 111.4(d)(3).

⁵ 52 U.S.C. § 30109(a)(2).

complaint sets forth specific facts, which, if proven true, would constitute a violation of the Act.⁶ Unwarranted legal conclusions from asserted facts or mere speculation will not be accepted as true, and they provide no independent basis for investigation.⁷

As this Complaint does not allege that Respondents have violated the Act or Commission regulations and the Complaint does not allege any facts that if true would constitute a violation of the Act by Respondents, the Commission must dismiss the Complaint as to Respondents and the Commission should immediately close the file.

Very truly yours,

A handwritten signature in blue ink, appearing to be 'Marc E. Elias', written over a light blue horizontal line.

Marc E. Elias
Ezra W. Reese
Rebecca K. Mears
Counsel to Respondents

⁶ See 11 C.F.R. § 111.4(a), (d); MUR 4960 (Clinton for U.S. Senate), Statement of Reasons, Commissioners David M. Mason, Karl J. Sandstrom, Bradley A. Smith, and Scott E. Thomas at 1 (Dec. 21, 2000).

⁷ MUR 4960, Statement of Reasons at 2.



FEDERAL ELECTION COMMISSION
1050 First Street, NE
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

EMAIL cela@fec.gov

FAX 202-219-3923

AR/MUR/RR/P-MUR# 7754

Name of Counsel: Marc E. Elias; Ezra W. Reese; Rebecca K. Mears

Firm: Perkins Coie LLP

Address: 700 Thirteenth St., N.W. Suite 600
Washington, D.C. 20005

Office#: (202) 654-6200 Fax#: (202) 654-6211

Mobile#: _____

E-mail: melias@perkinscoie.com; ereese@perkinscoie.com; rmears@perkinscoie.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

7/1/20 _____ Treasurer
Date (Signature - Respondent/Agent/Treasurer) Title
Rebecca Larnbe
(Name - Please Print)

RESPONDENT: SMP
(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 700 Thirteenth Street, N.W. Suite 600
(Please Print) Washington, D.C. 20005

Home#: _____ Mobile#: _____

Office#: _____ Fax#: _____

E-mail: _____

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.



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The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

7/1/20
Date

Rebecca Lambe
(Signature - Respondent/Agent/Treasurer)

Treasurer
Title

Rebecca Lambe
(Name - Please Print)

RESPONDENT: Rebecca Lambe, in her official capacity as Treasurer of SMP
(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 700 Thirteenth St., N.W. Suite 600
(Please Print)

Washington, D.C. 20005

Home#: _____ Mobile#: _____

Office#: _____ Fax#: _____

E-mail: _____

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