

SANDLER REIFF

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February 25, 2021

Mr. Jeff S. Jordan
Assistant General Counsel
Office of Complaints Examination
and Legal Administration
Federal Election Commission
1050 First Street, N.E.
Washington, D.C. 20463

VIA E-mail to CELA@fec.gov

Re: MURs 7845/7847

Dear Mr. Jordan:

The undersigned serves as counsel to American Working Families and Bud Jackson, as Treasurer (“AWF”). By this letter AWF responds to the allegations made in these matters. By way of background, AWF is an independent expenditure only committee that was registered with the Federal Election Commission in 2012. In 2020, AWF raised in excess of \$1.1 million dollars in furtherance of its goals.

Specifically, the two above referenced complaints allege that AWF accepted two contributions totaling \$25,000 from two corporations in August of 2020 that violated the Federal Election Campaign Act’s (“the Act”) prohibition on the receipt of contributions from government contractors. 52 U.S.C. § 30119(a)(1). At the time these two contributions were made, AWF had no knowledge or information that either contributor were potentially federal contractors.

On October 30, 2020, AWF became aware, through a reporter, that the Campaign Legal Center intended to file a complaint related to these two contributions. In accordance with Commission regulations at 11 C.F.R. § 103.3(b)(2), AWF undertook an investigation with respect to these two contributions as follows:

Excel Dryer Inc. (MUR 7845) – On November 18, 2020, AWF refunded \$10,000.00 to Excel Dryer Inc.

DTE Energy (MUR7847) – In its original report filed with the Commission, AWF disclosed the receipt of a contribution from DTE Energy Company in the amount of \$15,000. In response to the notification of the allegation, AWF began an investigation as to the facts surrounding the contribution. During that investigation, AWF learned, through DTE counsel, that the contribution was not made by DTE Energy Company, but rather, DTE Energy Corporate

Services, LLC, a wholly owned subsidiary of DTE Energy Company. AWF has amended its original filings to clarify that the contribution was made by the subsidiary.

During discussions with DTE counsel, DTE counsel informed AWF that neither DTE Energy Company, nor DTE Energy Corporate Services, LLC were federal contractors at the time of the contribution in August of 2020. Therefore, AWF has determined that this contribution was legal and in full compliance with the Act and Commission regulations. It is our understanding that counsel to DTE Energy has provided the Commission with a detailed response in this Matter that demonstrates that the contribution was permissible.

Based upon the above, the Commission must find no reason to believe that AWF has violated any provision of law and close this matter. With respect to the contribution from Excel Dryer, Inc., AWF timely refunded the contribution in accordance with 11 C.F.R. § 103.3(b)(2).¹ With respect to the contribution from DTE Energy Corporate Services, LLC, the contribution was legal and met the requirements of the Act and Commission regulations.

If you have any questions regarding this response, my daytime number is (202) 479-1111. My email address is reiff@sandlerreiff.com.

Sincerely,



Neil P. Reiff
Counsel to American Working Families and
Bud Jackson, as Treasurer

¹ Where a timely refund is made of a contribution that is subsequently found to be illegal, dismissal by the Commission is appropriate. See e.g. MUR 6931.

RECEIVED

By OGC-CELA at 12:04 pm, Mar 04, 2021



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# 7845/1847

Name of Counsel: Neil Reiff

Firm: Sandler, Reiff, Lamb, Rosenthal & Birkenstock, PC

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Washington, DC 20005

Office#: 202-479-1111 Fax#: 202-479-1115

Mobile#:

E-mail: reiff@sandlerreiff.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.

2/24/2021

Bud Jackson

Treasurer

Date

(Signature - Respondent/Agent/Treasurer)

Title

Bud Jackson and American Working Families
(Name – Please Print)

American Working Families / Bud Jackson, Treasurer

RESPONDENT:

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

Mailing Address: 107 S West Street #527
(Please Print)

Alexandria VA 22314

Home#: _____ Mobile#: _____

Office#: _____ Fax#: _____

E-mail: bud@americanworkingfamilies.com

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.