



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Neil P. Reiff
Sandler, Reiff, Lamb,
Rosenstein & Birkenstock, P.C.
1090 Vermont Ave NW, Suite 750
Washington, DC 20005

OCT 09 2019

RE: AR 19-12
Tennessee Democratic Party and
Dr. Geeta McMillan, Treasurer

Dear Mr. Reiff:

The Federal Election Commission ("Commission") has ascertained information in the normal course of carrying out its supervisory responsibilities indicating that your clients Tennessee Democratic Party and Dr. Geeta McMillan in her official capacity as treasurer ("Committee"), may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). Following an audit conducted by the Commission pursuant to 52 U.S.C. § 30111(b), the Committee has been referred by the Audit Division to the Commission's Office of General Counsel for possible enforcement action under 52 U.S.C. § 30109.¹ Specifically, the Committee has been referred for Misstatement of Financial Activity – Receipts in the amount of \$148,395; Calendar Year 2015; Misstatement of Financial Activity – Disbursements in the amount of \$147,409; Calendar Year 2015; Misstatement of Financial Activity – Original Reports Filed – Receipts in the amount of \$1,362,191; Calendar Years 2015, 2016; Misstatement of Financial Activity – Original Reports Filed – Disbursements in the amount of \$1,377,720; Calendar Years 2015, 2016; Receipt of Contributions that Exceeds Limits in the amount of \$166,450; Calendar Years 2015, 2016; Disclosure of Joint Fundraising Transfers in the amount of \$1,509,766; Calendar Years 2015, 2016 and Recordkeeping for Employees in the amount of \$409,900; Calendar Years 2015, 2016. For further information, a copy of the referral document is enclosed. We have numbered this referral AR 19-12.

The Act affords you the opportunity to demonstrate in writing that no action should be taken against your clients in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

¹ Notification of this referral is being provided to you pursuant to the Commission's Agency Procedure for Notice to Respondents in Non-Complaint Generated Matters, as published in the Federal Register on August 4, 2009 (74 Fed. Reg. 38,617).

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This matter will remain confidential in accordance with 52 U.S.C. §§ 30109(a)(4)(B) and 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.²

Please note that you have a legal obligation to preserve all documents, records, and materials relating to the subject matter of the referral until such time as you are notified that the Commission has closed its file in this matter. *See* 18 U.S.C. § 1519.

Any correspondence sent to the Commission, such as a response, must be addressed to **one** of the following (note, if submitting via email this Office will provide an electronic receipt by email):

Mail
Federal Election Commission
Office of Complaints Examination
and Legal Administration
Attn: Christal Dennis, Paralegal
1050 First Avenue, NE
Washington, DC 20463

OR

Email
CELA@fec.gov

If you have any questions, please contact Christal Dennis at (202) 694-1650 or toll free at 1-800-424-9530. For your information, we have enclosed a brief description of the Commission's preliminary procedures for processing possible violations discovered by the Commission.

Sincerely,

Jeff S. Jordan
Assistant General Counsel
Complaints Examination &
Legal Administration

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The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).