



FEDERAL ELECTION COMMISSION
Washington, DC 20463

VIA EMAIL AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Crystal Rhoades

Omaha, NE 68106

June 29, 2022

RE: MUR 7907
Nebraska Democratic Party

Dear Ms. Rhoades:

The Federal Election Commission has considered the allegations contained in your complaint dated May 18, 2021, and your supplemental complaint, dated May 28, 2021. The Commission was equally divided on whether to find reason to believe that the Nebraska Democratic Party and Ted Kessler in his official capacity as treasurer (the “Committee”) violated 52 U.S.C. § 30125(b)(1) and 11 C.F.R. § 300.33(d)(2) by using non-federal funds to pay employees who spent more than 25% of their compensated time on activities in connection with a federal election and 52 U.S.C. § 30104(b) by failing to disclose making in-kind contributions and coordinated party expenditures, and whether to take no action at this time on allegations that the Committee violated 52 U.S.C. § 30116(d)(3) by exceeding the limit on coordinated party expenditures and 52 U.S.C. § 30116(a) by making excessive in-kind contributions.

The Commission was also equally divided on whether to dismiss allegations that the Committee violated 11 C.F.R. § 300.33(d)(2) by using non-federal funds to pay employees who spent more than 25% of their compensated time on federal election activities or activities in connection with a federal election, failed to disclose making in-kind contributions and coordinated party expenditures in violation of 52 U.S.C. § 30104(b), exceeded the limit on coordinated party expenditures in violation of 52 U.S.C. § 30116(d)(3), and made excessive in-kind contributions in violation of 52 U.S.C. § 30116(a).

Accordingly, on June 23, 2022, the Commission closed the file in this matter. A Statement of Reasons providing a basis for the Commission’s decision will follow.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission’s dismissal of this action. *See* 52 U.S.C.

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Letter to Ms. Rhoades

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§ 30109(a)(8). If you have any questions, please contact Laura Conley, the attorney assigned to this matter, at (202) 694-1475 or lconley@fec.gov.

Sincerely,

Ana J. Peña-Wallace ^{by NOM}

Ana J. Peña-Wallace
Assistant General Counsel