



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

**VIA EMAIL**

June 29, 2022

Neil Reiff, Esq.  
Sandler Reiff Lamb Rosenstein  
& Birkenstock, P.C.  
1090 Vermont Ave NW, Suite 750  
Washington, DC 20005  
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RE: MUR 7907  
Nebraska Democratic Party

Dear Mr. Reiff:

On May 20 and June 17, 2021, the Federal Election Commission notified your client, the Nebraska Democratic Party and Ted Kessler in his official capacity as treasurer, of a complaint and supplemental complaint alleging that it had violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act").

On June 22, 2022, the Commission considered the complaints but was equally divided on whether to find reason to believe that your client 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 your client 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 explaining 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

MUR 7907 (Nebraska Democratic Party)

Letter to Mr. Reiff

Page 2

(Aug. 2, 2016). If you have any questions, please contact Laura Conley, the attorney assigned to this matter, at (202) 694-1475 or [lconley@fec.gov](mailto:lconley@fec.gov).

Sincerely,

*by NOM*  
*Ana J. Peña-Wallace*

Ana J. Peña-Wallace  
Assistant General Counsel