



**FEDERAL ELECTION COMMISSION**

October 1, 2021

**MEMORANDUM**

1  
2  
3  
4 **TO:** The Commission  
5  
6 **FROM:** Lisa J. Stevenson  
7 Acting General Counsel  
8  
9 Charles Kitcher CK by ep  
10 Associate General Counsel for Enforcement  
11  
12 **BY:** Elena Paoli *ep*  
13 Attorney  
14  
15 **SUBJECT:** MUR 7927 (Kennedy for Massachusetts) Pre-Probable Cause Conciliation  
16

---

17  
18 On September 2, 2021, the Commission found reason to believe that Kennedy for  
19 Massachusetts and Keith D. Lowey in his official capacity as treasurer (“Committee” or  
20 “Respondent”) violated 52 U.S.C. § 30116(f) by accepting excessive contributions in the 2020  
21 primary election for the U.S. Senate in Massachusetts.<sup>1</sup> The Commission also authorized pre-  
22 probable cause conciliation.<sup>2</sup>  
23

24 The Commission’s finding resulted from the Committee’s *sua sponte* submission  
25 disclosing that it had used \$1,502,000 of general election funds in the primary election. Soon  
26 after the candidate’s primary loss, the Committee realized its error, promptly refunded the  
27 general election contributions, appointed a new treasurer, and filed the *sua sponte* with the  
28 Commission.  
29  
30  
31  
32  
33  
34  
35

---

<sup>1</sup> Certification, MUR 7927 (Sept. 12, 2021).

<sup>2</sup> *Id.*

MUR 7927 (Kennedy for Massachusetts)  
Memorandum to the Commission  
Page 2 of 2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

We believe this settlement represents an acceptable resolution of the matter. We therefore recommend that the Commission accept the signed conciliation agreements with the Respondent and close the file.

**RECOMMENDATIONS:**

1. Accept the attached conciliation agreement;
2. Approve the appropriate letter; and
3. Close the file.