



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

February 18, 2021

**BY ELECTRONIC MAIL ONLY**

[reiff@sandlerreiff.com](mailto:reiff@sandlerreiff.com)

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

RE: MURs 7556 and 7601  
Kansas Democratic Party and  
Gina Long in her official capacity as  
Treasurer

Dear Mr. Reiff:

On January 26, 2021, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of your client, Kansas Democratic Party and Gina Long in her official capacity as treasurer, in settlement of violations of 52 U.S.C. §§ 30104(a), 30104(b), 30104(b)(1), 30104(b)(3)(A) and 30104(b)(8), provisions of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. §§ 102.17(c)(8)(i)(B), 104.3(a), 104.3(a)(1), 104.3(b), 104.3(d) and 104.11(a), provisions of the Commission's regulations. Accordingly, the Commission has closed the file in this matter.

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). Information derived in connection with any conciliation attempt will not become public without the written consent of the Respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the conciliation agreement requires that your client take the following actions:

(1) pay the \$60,000 civil penalty no more than 30 days from the date this agreement becomes effective;

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(2) attend a Commission-sponsored training program for state and local party committees within one year of the effective date of the conciliation agreement;

(3) submit evidence of registration and attendance at such Commission-sponsored training program to the Commission; and

(4) cease and desist from violating 52 U.S.C. §§ 30104(a), 30104(b), 30104(b)(1), 30104(b)(3)(A) and 30104(b)(8), and 11 C.F.R. §§ 102.17(c)(8)(i)(B), 104.3(a), 104.3(a)(1), 104.3(b), 104.3(d) and 104.11(a).

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roy Q. Luckett", is positioned above the printed name.

Roy Q. Luckett  
Attorney

Enclosure

## BEFORE THE FEDERAL ELECTION COMMISSION

|                                    |   |                    |
|------------------------------------|---|--------------------|
| In the Matter of Kansas Democratic | ) |                    |
| Party and Gina Long in her         | ) |                    |
| Official Capacity as Treasurer     | ) |                    |
|                                    | ) | MURs 7556 and 7601 |
|                                    | ) |                    |

**CONCILIATION AGREEMENT**

These matters were initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Kansas Democratic Party and its treasurer in their official capacity ("Respondent" or "Committee") violated 52 U.S.C. § 30104(b)(1), 30104(b)(3)(A) and 30104(b)(8), provisions of the Federal Election Campaign Act of 1971, as amended (the "Act"), and 11 C.F.R. §§ 102.17(c)(8)(i)(B), 104.3(a)(1), 104.3(d) and 104.11(a), provisions of the Commission's regulations.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
  1. Kansas Democratic Party is a state committee of the Democratic Party.

2. Gina Long is the treasurer of the Committee. Gina Long was not treasurer of the committee during the 2015-2016 election cycle.

3. The Committee participated in joint fundraising with the Hillary Victory and Kansas Party Victory Funds.

4. The Act requires committee treasurers to file reports of receipts and disbursements in accordance with the provisions of 52 U.S.C. § 30104. 52 U.S.C. § 30104(a)(1); 11 C.F.R. § 104.1(a).

5. These reports must include, *inter alia*, the total amount of receipts and disbursements, and appropriate itemizations, where required. *See* 52 U.S.C. § 30104(b)(2), (4); 11 C.F.R. § 104.3(a), (b).

6. The Act requires committee treasurers to itemize any contribution from an individual if the contribution exceeds \$200 per calendar year either by itself or when aggregated with other contributions from the same contributor. 52 U.S.C. § 30104(b)(3)(A).

7. Each participating committee in a joint fundraiser must file a memo Schedule A itemizing its share of gross fundraising receipts as contributions from the original contributors to the extent required by 11 C.F.R. § 104.3(a). 11 C.F.R. § 102.17(c)(8)(i)(B).

8. The Act and Commission regulations require political committees to disclose the amount and nature of their outstanding debts and obligations until those debts and obligations are extinguished. 52 U.S.C. § 30104(b)(8); 11 C.F.R. §§ 104.3(d), 104.11(a).

9. The Act and Commission regulations also require political committees to disclose the amount of cash on hand at the beginning of each reporting period. 52 U.S.C. § 30104(b)(1); 11 C.F.R. §§ 104.3(a)(1), 104.12.

10. The Committee disclosed \$42,601.49 in transfers received from Kansas Party Victory Fund during the 2016 calendar year, but only itemized \$4,479.25 of the contributions it received in connection with Kansas Party Victory Fund.

11. The Committee disclosed \$1,596,300 in transfers received from Hillary Victory Fund during the 2016 calendar year, but only itemized \$736,920.43 of the contributions it received in connection with Hillary Victory Fund.

12. The Committee's 2016 August Monthly Report disclosed four debts with an outstanding beginning balance of \$40,733.50, but the 2016 July Monthly Report disclosed no debts at the close of the prior period.

13. The Committee's 2016 September Monthly Report disclosed no outstanding debts at the beginning of the period, but the 2016 August Monthly Report disclosed seven debts totaling \$42,238.13 outstanding at the end of the prior period.

14. Between the two inaccurate reports, there is a total of \$82,971.63 in debt reporting discrepancies.

15. The Committee's 2015 February Monthly Report disclosed \$53,331.00 cash on hand at the end of the period, and the 2015 March Monthly Report shows a beginning cash on hand of \$93,206.39, a discrepancy of \$39,875.39.

16. The Committee's 2015 April Monthly Report disclosed a beginning cash on hand of \$54,765.40 compared to the ending cash on hand of \$94,640.79 disclosed on the 2015 March Monthly report, a discrepancy of \$39,875.39.

17. On October 27, 2016, the Committee filed its original 12-Day Pre-General Report, which disclosed \$31,667.28 in receipts on Line 11(d) (Total Contributions), \$15,073.64 in receipts on Line 12 (Transfers From Affiliated/Other Party Committees), \$0.36 in receipts on



Line 15 (Offsets To Operating Expenditures), and \$29,903.27 in receipts on Line 18(a) (Transfers from Non-Federal and Levin Funds-Non-Federal Account) of the Detailed Summary Page. The report also disclosed \$47,168.97 in disbursements on Line 21(c) (Total Operating Expenditures), \$0.00 in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees), and \$6,349.51 in disbursements on Line 30(c) (Total Federal Election Activity) of the Detailed Summary Page.

18. On March 23, 2020, the Committee filed an Amended 2016 12-Day Pre-General Report. The report disclosed \$31,459.98 in receipts on Line 11(d) (Total Contributions), \$1,019,953.64 in receipts on Line 12 (Transfers From Affiliated/Other Party Committees), \$0.00 in receipts on Line 15 (Offsets To Operating Expenditures), and \$29,903.27 in receipts on Line 18(a) (Transfers from Non-Federal and Levin Funds-Non-Federal Account) of the Detailed Summary Page, a total increase in receipts of \$1,004,672.34 from the original report. The report also disclosed \$13,819.13 in disbursements on Line 21(c) (Total Operating Expenditures), \$900,000.00 in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees), and \$39,791.59 in disbursements on Line 30(c) (Total Federal Election Activity) of the Detailed Summary Page, a total increase in disbursements of \$900,092.24 from the original report.

19. Respondent contends that it has cooperated with the Commission by amending all relevant reports to accurately reflect the activity described herein.

V. Respondent violated 52 U.S.C. § 30104(b)(3)(A) and 11 C.F.R. § 102.17(c)(8)(i)(B) by failing to provide itemized contributor information for contributions received through joint fundraising, violated 52 U.S.C. § 30104(b)(8) and 11 C.F.R. §§ 104.3(d) and 104.1 1(a) by failing to accurately disclose debts, and violated 52 U.S.C. § 30104(b)(1) and 11 C.F.R. § 104.3(a)(1) by failing to accurately report cash on hand. Respondent also violated

52 U.S.C. § 30104(a) and (b) and 11 C.F.R. § 104.3(a) and (b) by failing to disclose a total of \$1,904,764.58 in increased activity, in receipts and disbursements on its 2016 12-Day Pre-General Report.

VI. 1. Respondent will pay a civil penalty to the Commission in the amount of Sixty Thousand Dollars (\$60,000) pursuant to 52 U.S.C. § 30109(a)(5)(A).

2. Respondent will require appropriate personnel to attend a Commission-sponsored training program for state and local party committees within one year of the effective date of the conciliation agreement. Respondent shall submit evidence of registration and attendance at such event to the Commission. In recognition of Respondent's hiring of an outside compliance firm to prepare and file its disclosure reports with the Commission, including the amendments at issue in this matter, and because the Committee has instituted procedures to prevent similar reporting errors in the future, the Commission agrees to accept a lower civil penalty than it otherwise would require.

3. Respondent will cease and desist from violating 52 U.S.C. §§ 30104(a), 30104(b), 30104(b)(1), 30104(b)(3)(A) and 30104(b)(8), and 11 C.F.R. §§ 102.17(c)(8)(i)(B), 104.3(a), 104.3(a)(1), 104.3(b), 104.3(d) and 104.11(a).

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Except as otherwise provided, Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lisa J. Stevenson  
Acting General Counsel

BY: Charles Kitcher  
Charles Kitcher  
Acting Associate General Counsel  
for Enforcement

2/17/21  
Date

FOR THE RESPONDENT:

Neil Reiff  
(Name) Neil Reiff  
(Position) Counsel

9/15/20  
Date