

BEFORE THE FEDERAL ELECTION COMMISSION OF THE UNITED STATES OF
AMERICA

OFFICE OF
GENERAL COUNSEL

In the Matter of:

2020 MAR 16 AM 10:44

Representative Madeleine Dean
MAD4PA PAC
John Egner, Treasurer

MUR No. 7720

COMPLAINT

1. Complainant brings this complaint before the Federal Election Commission ("FEC" or "Commission") seeking an immediate investigation and enforcement action against Representative Madeleine Dean, MAD4PA PAC, and John Egner as Treasurer ("Committee") for violations of the Federal Election Campaign Act ("FECA" or "Act").
2. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information providing reason to believe that:
3. Respondents have violated 52 U.S.C. § 30125(e)(1) and 11 C.F.R. § 300.61 by using campaign funds not subject to federal limitations, prohibitions, and reporting requirements mandated by FECA.

STATEMENT OF THE LAW

4. 52 U.S.C. § 30125(e)(1) and 11 C.F.R. § 300.61 prohibit candidates for federal office from spending funds in connection with a campaign for federal office, unless funds are subject to the limitations, prohibitions, and reporting requirements under FECA.

STATEMENT OF FACTS

5. On November 29, 2017, then-State Representative Madeleine Dean announced her bid for lieutenant governor of Pennsylvania.¹ Friends of Madeleine Dean was her registered state campaign committee.²
6. On February 21, 2018, Representative Dean filed a Statement of Organization with the FEC for MAD4PA PAC, her principal campaign committee for the 4th Congressional District of Pennsylvania.³ The next day, she publicly ended her bid for lieutenant governor and announced her candidacy for the U.S. House of Representatives.⁴
7. Following the end of her bid for state office and the announcement of her candidacy for U.S. Congress, significant disbursements continued to be made from Representative Dean's state campaign committee, Friends of Madeleine Dean.⁵ Specifically, on the days that Representative Dean filed for U.S. Congress and announced that she would no longer be running for lieutenant governor, her state committee spent \$4,216.00 for "campaign

¹ Liz Navratil, *State Rep. Madeleine Dean to run for lieutenant governor*, Philadelphia Inquirer (Nov. 29, 2017).

² Pennsylvania Department of State, Candidate/Committee Campaign Finance Profile, *Friends of Madeleine Dean*.

³ MAD4PA PAC, *Statement of Organization* (filed Feb. 21, 2018).

⁴ Paul Engelkemier, *Dean Ends L.G. Bid, Enters Race for P.A.*, PoliticsPA (Feb. 22, 2018).

⁵ See Pennsylvania Department of State, *supra* note 2.

literature” with Kennedy Communications, Inc. and \$143.10 for “campaign buttons” from Capitol Promotions, Inc.⁶

8. On March 27, 2018, Representative Dean used her state campaign account to pay for a Pennsylvania voter database, “VoterWeb Access,” in the amount of \$195.00.⁷ This is the same rate paid by another congressional candidate.⁸
9. On March 30, 2018, Friends of Madeleine Dean paid \$2,750.00 for “political and communication consulting” to Diane Gregg.⁹
10. Representative Dean’s state committee expended a total of \$672.68 for postage, shipping, and office supplies after she ended her campaign on February 22, 2018 and as late as November 30, 2018. The committee spent \$51.21 on postage at USPS.¹⁰ The committee spent \$384.70 on supplies at FedEx.¹¹ The committee spent \$59.34 on deposit stamps at Staples.¹² The committee spent \$168.96 on faxes, shipping, and supplies at UPS Store.¹³ The committee spent \$8.47 on supplies at Target.¹⁴
11. On February 28, 2019, Representative Dean’s state committee expended \$106.00 to USPS for “PO Box 444 Rental,” and on March 7, 2019, expended \$9.00 for a key to that same PO Box.¹⁵ PO Box 444 is the mailing address for her congressional campaign.¹⁶
12. Friends of Madeleine Dean paid NGP VAN, the “leading technology provider to Democratic and progressive campaigns...offering clients an integrated platform of the best fundraising, compliance, field, organizing, digital, and social networking products” on three different occasions following the end of her lieutenant governor campaign, totaling \$2,250.00.¹⁷ A fourth \$750 payment for “Data base Jan-Mar 2019” occurred after she was elected to Congress.¹⁸
13. Representative Dean’s state committee continued to pay for accounting services in the amount of \$4,800. This is more than the \$4,000 paid by her congressional campaign to the same individual for the same service.¹⁹
14. Representative Dean’s congressional campaign, MAD4PA PAC, used a web hosting service that was paid for by Friends of Madeleine Dean. From March 5, 2018 to January 22, 2019, her state campaign paid a total of \$201.79 to Network Solutions, LLC.²⁰ MAD4PA.COM is

⁶ Friends of Madeleine Dean, Campaign Finance Report, 2nd Friday Pre-Primary, 19, 35 (Apr. 30, 2018), [hereinafter “Cycle 2 Report”].

⁷ Cycle 2 Report, *supra* note 6, at 23; VoterWeb, VoterWeb Info.

⁸ Shelly Chauncey for Congress, July 15 Quarterly Report, 34 (July 15, 2018).

⁹ Cycle 2 Report, *supra* note 6, at 24.

¹⁰ Cycle 2 Report, *supra* note 6, at 55.

¹¹ Cycle 2 Report, *supra* note 6, at 27-28; Friends of Madeleine Dean, Campaign Finance Report, 2nd Friday Pre-Election, 13-14 (Oct. 22, 2018), [hereinafter “Cycle 5 Report”]; Friends of Madeleine Dean, Campaign Finance Report, 30 Day Post-Election, 11-12 (Nov. 26, 2018), [hereinafter “Cycle 6 Report”]; Friends of Madeleine Dean, Campaign Finance Report, Annual Report, 11 (Dec. 31, 2018), [hereinafter “Cycle 7 Report”].

¹² Cycle 2 Report, *supra* note 6, at 52.

¹³ Friends of Madeleine Dean, Campaign Finance Report, 30 Day Post-Primary, 13 (June 4, 2018), [hereinafter “Cycle 3 Report”]; Cycle 5 Report, *supra* note 11, at 19-21; Cycle 6 Report, *supra* note 11, at 12; Cycle 7 Report, *supra* note 11, at 11.

¹⁴ Cycle 5 Report, *supra* note 11, at 20.

¹⁵ Friends of Madeleine Dean, Campaign Finance Report, 2nd Friday Pre-Primary, 16 (May 6, 2019), [hereinafter “2019 Report”].

¹⁶ MAD4PA PAC, Amended Statement of Organization (filed July 20, 2018).

¹⁷ NGP VAN, About Us; Cycle 2 Report, *supra* note 6, at 45; Cycle 5 Report, *supra* note 11, at 17-18.

¹⁸ 2019 Report, *supra* note 15.

¹⁹ Cycle 2 Report, *supra* note 6, at 29; Cycle 3 Report, *supra* note 13, at 12; Cycle 5 Report, *supra* note 11, at 14; MAD4PA PAC, October 15 Quarterly Report, 199 (Oct. 15, 2018); MAD4PA PAC, 30-Day Post General Election Report, 74 (Dec. 6, 2018).

²⁰ Cycle 2 Report, *supra* note 6, at 44-45; Cycle 3 Report, *supra* note 13, at 12-13; Cycle 5 Report, *supra* note 11, at 16-17; Cycle 6 Report, *supra* note 11, at 12; Cycle 7 Report, *supra* note 11, at 11-12; 2019 Report, *supra* note 15, at 15-16.

registered by Network Solutions; yet somehow, MAD4PA PAC never made any expenditures for such services in 2018.²¹

15. Representative Dean's state campaign spent \$797.69 on expense reimbursements to four individuals after ending her bid for lieutenant governor.²² Three of these individuals were also being paid by her federal campaign.²³

CAUSES OF ACTION

AGAINST RESPONDENTS REPRESENTATIVE MADELEINE DEAN AND COMMITTEE

Prohibited Transfer From a Nonfederal Election Campaign in Violation of 52 U.S.C. § 30125(e)(1) and 11 C.F.R. § 300.61

16. After Representative Madeleine Dean ended her campaign for lieutenant governor of Pennsylvania in February of 2018, and after she was elected to Congress, her state campaign, Friends of Madeleine Dean, continued to make over \$17,000 in expenditures for campaign purposes.²⁴ These numerous expenses indicate that her purportedly inactive state account was being illicitly used for her federal campaign. In some instances, the misappropriation of funds was so flagrant as to make her nonfederal campaign solely responsible for meeting obligations incurred by her federal campaign committee.
17. By using her state campaign account, Friends of Madeleine Dean, for the purpose of making expenditures in support of her congressional campaign, Representative Dean and Committee have evaded the limitations, prohibitions, and reporting requirements of FECA, violating 52 U.S.C. § 30125(e)(1) and 11 C.F.R. § 300.61.

PRAYER FOR RELIEF

18. Wherefore, the Commission should find reason to believe that Representative Madeleine Dean and Committee have violated 52 U.S.C. § 30125(e)(1) and 11 C.F.R. § 300.61 and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2). The Commission should determine and impose appropriate sanctions for any and all violations. Further, the Commission should enjoin respondents from any future violations, and impose any necessary and appropriate remedies to ensure respondents future compliance with FECA.

March 10, 2020

Respectfully Submitted,



Caitlin Sutherland, Executive Director
Americans for Public Trust
107 South West Street, Suite 442
Alexandria, VA 22314

²¹ ICANN, Domain Name Registration Data Lookup, MAD4PA.COM; Disbursements from MAD4PA PAC to Network Solutions, Federal Election Commission (spender name "MAD4PA PAC" and recipient name "Network Solutions").

²² Cycle 2 Report, *supra* note 6, at 24; Cycle 5 Report, *supra* note 11, at 12, 14-15.


²³ Disbursements from MAD4PA PAC to Anneliese Israel, Robert Dean, and David Floyd, Federal Election Commission (spender name "MAD4PA PAC" and recipient names "Anneliese Israel," "Robert Dean," and "David Floyd").

²⁴ *Supra* notes 6-23.

VERIFICATION

19. The complainants listed below hereby verify that the statements made in the attached Complaint are, upon their information and belief, true.

For Complainant "Americans for Public Trust"


Caitlin Sutherland

City of Alexandria
Commonwealth of Virginia

The foregoing instrument was subscribed and sworn to before me this 10th day of March 2020 by Caitlin Sutherland.


Notary Public

Notary registration number: 7539034



My commission expires: 01/31/2021