



A handwritten signature in cursive script, appearing to read "Kathryn Ross".

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by Kathryn Ross
Date: 2019.05.02
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James S. Burland, J.D.

May 1, 2019

VIA E-MAIL ONLY – cela@fec.gov

Office of General Counsel
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

Re: MUR 7594: Response by Louisiana Speaks PAC and Alario PAC
To Complaint Received on April 23, 2019

As Designated Counsel for our two Respondent clients, Louisiana Speaks PAC and Alario PAC, we are in receipt of the Federal Election Commission complaint MUR 7594, dated April 18, 2019, and received by our office on April 23, 2019, and on their behalf are responding in writing that no action should be taken against these Respondents, to-wit:

- 1) Louisiana Speaks PAC is a political action committee registered within the state of Louisiana which accepted a political contribution from Enbridge-DCP PAC on February 22, 2018 in the amount of \$500.00. Upon their best efforts examination of Enbridge-DCP PAC, it was found to be a federally registered PAC with the Federal Election Commission and domiciled in Texas. Upon further review of Enbridge-DCP PAC, it was found that all contributors which contributed to the above-named federal PAC during the last election cycle of January 1, 2017-December 31, 2018 were reported as having addresses within the United States. With regard to the PAC's connected organization, Enbridge (U.S.) Inc., it has been determined to be a Delaware corporation with its principal place of business in Texas.
- 2) Alario PAC is a political action committee registered within the state of Louisiana which accepted a political contribution from Enbridge-DCP PAC on March 9, 2018, in the amount of \$500. Upon their best efforts examination of Enbridge-DCP PAC, it was found to be a federally registered PAC with the Federal Election Commission and domiciled in Texas. Upon further review of Enbridge-DCP PAC, it was found that all contributors which contributed to the above-named federal PAC during the last election cycle of January 1, 2017-December 31, 2018 were reported as having addresses within the United States. With regard to the PAC's connected organization, Enbridge (U.S.) Inc., it has determined to be a Delaware corporation with its principal place of business in Texas.

With specific regard to the allegations set forth in MUR 7594, we believe that Louisiana Speaks PAC and Alario PAC as Respondents have not violated the Federal Election Campaign Act of 1971

(More)

(FECA), as amended, as they both accepted contributions from Enbridge-DCP PAC in good faith, performed their best efforts to ascertain the eligibility of the contributions in advance of deposit, and performed their obligations under federal law and regulation without any actual knowledge of Enbridge-DCP PAC being an alleged Foreign national. Therefore, Respondents having dutifully fulfilled their obligation as treasurer, no further action should be taken against them.

Additionally, and with regard to the allegations asserted against our Respondents, the FECA and pertinent regulations are clear: a treasurer of a committee shall make his or her best efforts to determine the legality of a contribution and if, at the time the contribution was received and deposited, it did not appear to be made by a Foreign national but is later discovered that it is illegal based on new evidence not available to the PAC at the time of receipt and deposit, then the treasurer can refund the contribution within thirty days of the date on which the illegality is discovered (citations omitted). Should the FEC ultimately determine that the contributions in questions were made by a Foreign national in contravention of law, then both Respondents have this remedy available and suggest that it is the proper remedy to impose against Respondents in this matter.

As stated above, both Respondent PAC treasurers assert they had no actual knowledge of the alleged “foreign” status of Enbridge-DCP PAC. Under established federal law and regulation, knowingly accepting a contribution from a Foreign national means that a person must have “actual” knowledge that the source of the funds received is from a foreign national; or be aware of facts that would lead a reasonable person to conclude that there is a “substantial probability” that the source of the funds received are from a Foreign national, or be aware of facts that would lead a reasonable person to inquire whether such funds were given from a Foreign national (citations omitted). In both instances where Respondents received the alleged illegal contributions, their best efforts investigations concluded that, prior to deposit of the funds, the PAC (Enbridge-DCP PAC) and its affiliated organization (Enbridge, Inc.) both had American domiciles and American donors, and therefore were considered to be properly domiciled domestic legal entities operating in this country.

For the above stated reasons, we assert that no action should be taken against Respondents, Louisiana Speaks PAC and Alario PAC, in this matter. Should you have any questions regarding the information presented above, please don’t hesitate to give us a call us at 225-767-7163 or email James Burland, J.D., at jimmy@burland.org.

Sincerely,



James S. Burland, J.D.
Designated Counsel for Respondents

Attachments: Designated Counsel Forms (2)
Cc: Louisiana Speaks PAC
Alario PAC



FEDERAL ELECTION COMMISSION
1050 First Street, NE
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

EMAIL cela@fec.gov

FAX 202-219-3923

AR/MUR/RR/P-MUR# 7594

Name of Counsel: James S. Burland

Firm: Burland & Associates, Inc.

Address: 742 North 5th Street
Baton Rouge, LA 70802

Office#: (225) 767-7163 Fax#: (225) 208-1484

Mobile#: _____

E-mail: jimmy@burland.org

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

4/24/19
Date

(Signature)
(Signature - Respondent/Agent/Treasurer)
Amanda Maloy
(Name - Please Print)

Treasurer
Title

RESPONDENT: Louisiana Speaks PAC / Amanda Maloy
(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 742 North 5th Street
(Please Print)
Baton Rouge, Louisiana 70802

Home#: _____ Mobile#: _____

Office#: (225) 767-7163 Fax#: (225) 208-1484

E-mail: amanda@burland.org

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.



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1050 First Street, NE
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

EMAIL cela@fec.gov

FAX 202-219-3923

AR/MUR/RR/P-MUR# 7594

Name of Counsel: JAMES B

Firm: BURLAND & ASSOCIATES, INC.

Address: 7 1/2 N. 5th ST.

BATON ROUGE, LA 70802

Office#: 225-767-7163 Fax#: 225-208-1484

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E-mail: jimmy@burland.org

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

4/29/19
Date

[Signature]
Signature - Respondent/Agent/Treasurer

Chairman
Title

John Alario Jr
(Name - Please Print)

RESPONDENT: ALARIO PAC
(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 1063 MULLER PKWY.
(Please Print) WESTWEGO, LA 70094

Home#: Mobile#:

Office#: 225-767-7163 Fax#: 225-208-1484

E-mail: info@burland.org

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