



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

July 9, 2020

**VIA ELECTRONIC MAIL ONLY**

E-mail: BSvoboda@perkinscoie.com

Brian Svoboda, Esq.

Ezra Reese, Esq.

Perkins Coie LLP

700 Thirteenth Street, N.W.

Suite 600

Washington, DC 20005-3960

RE: MUR 7599  
Nevada State Democratic Party and Jan  
Churchill in her official capacity as  
treasurer

Dear Mr. Svoboda:

On June 25, 2020, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of violations of 52 U.S.C. § 30104(b)(2) and (4) and 11 C.F.R. § 104.3(a) and (b), provisions of the Federal Election Campaign Act of 1971, as amended, and Commission regulations. Accordingly, the file has been closed 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 civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1572 or tewald@fec.gov.

Sincerely,

A handwritten signature in blue ink that reads "Thaddeus H. Ewald".

Thaddeus H. Ewald  
Attorney

Enclosure:

Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	MUR 7599
Nevada State Democratic Party	)	
and Jan Churchill in her official	)	
capacity as treasurer	)	
	)	

**CONCILIATION AGREEMENT**

This matter was initiated by the Federal Election Commission (“Commission”), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. *See* 52 U.S.C. § 30109(a)(2). The Commission found reason to believe that the Nevada State Democratic Party and Jan Churchill in her official capacity as treasurer (“Respondent” or “Committee”) violated 52 U.S.C. § 30104(a) and (b) and 11 C.F.R. § 104.3(a) and (b).

NOW, THEREFORE, the Commission and the Committee, 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 Committee 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. The Committee has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Committee enters voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
  1. The Committee is a State party committee of the Democratic Party.

2. Jan Churchill is the Treasurer of the Committee. Jan Churchill is a Respondent solely in her official capacity.

3. The Federal Election Campaign Act of 1971, as amended, 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).

4. 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).

5. On December 8, 2016, the Committee filed its original 2016 30-Day Post-General Report, which disclosed \$34,460.62 in receipts on Line 11(c) (Contributions from Other Political Committees) and \$4,006,706.26 in receipts on Line 12 (Transfers from Affiliated/Other Party Committees) of the Detailed Summary Page. The report also disclosed \$10,604.83 in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees) and \$4,839,180.76 in disbursements on Line 30(b) (Federal Election Activity Paid Entirely with Federal Funds) of the Detailed Summary Page.

6. On January 30, 2017, the Committee filed an Amended 2016 30-Day Post-General Report, which disclosed \$35,983.32 in receipts on Line 11(c) (Contributions from Other Political Committees) and \$4,008,147.70 in receipts on Line 12 (Transfers from Affiliated/Other Party Committees) of the Detailed Summary Page. The report also disclosed \$12,046.27 in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees) and \$4,841,090.15 in disbursements on Line 30(b) (Federal Election Activity Paid Entirely with Federal Funds) of the Detailed Summary Page.

7. The Committee filed Amended 2016 30-Day Post-General Reports on June 5, 2017 and on July 5, 2017 that did not disclose any changes in receipts or disbursements from the January 30, 2017 amendment.

8. On February 5, 2018, the Committee filed another Amended 2016 30-Day Post-General Report, which disclosed \$35,983.32 in receipts on Line 11(c) (Contributions from Other Political Committees) and \$5,661,547.70 in receipts on Line 12 (Transfers from Affiliated/Other Party Committees) of the Detailed Summary Page. The report also disclosed \$1,665,446.27 in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees) and \$4,841,090.15 in disbursements on Line 30(b) (Federal Election Activity Paid Entirely with Federal Funds) of the Detailed Summary Page.

9. The Committee contends that the initial omissions occurred because a single bank statement was missed when the report was previously prepared. It contends further that, while the initial report omitted certain transfers and disbursements, it itemized contributions supporting transfers of joint fundraising proceeds as memo entries on Schedule A. The Committee also contends that it corrected the omissions when it became aware of them.

V. The Committee violated 52 U.S.C. § 30104(b)(2) and (4) and 11 C.F.R. § 104.3(a) and (b) by failing to disclose a total of \$3,313,114.97 in increased activity, in receipts and disbursements on its 2016 30-Day Post-General Report.

VI. 1. The Committee will pay a civil penalty to the Federal Election Commission in the amount of Thirty-Four Thousand Dollars (\$34,000) pursuant to 52 U.S.C. § 30109(a)(5)(A).

2. The Committee will cease and desist from committing violations of 52 U.S.C. § 30104(a) and (b) and 11 C.F.R. § 104.3(a) and (b).

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 the same and the Commission has approved the entire agreement.

IX. The Committee 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

July 8, 2020  
Date

FOR THE RESPONDENT:

Jan Churchill  
Jan Churchill  
Treasurer

3-9-2020  
Date