



FEDERAL ELECTION COMMISSION
Washington, DC 20463

VIA ELECTRONIC MAIL

July 29, 2020

Brad Deutsch
Garvey Schubert Barer
1000 Potomac Street, NW, Suite 200
Washington, DC 20007
BDeutsch@gsblaw.com

RE: MUR 7619
Vermont ETV, Inc. d/b/a Vermont PBS

Dear Mr. Deutsch:

On June 26, 2019, the Federal Election Commission (“Commission”) notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the “Act”) and Commission regulations. A copy of the complaint was forwarded to your clients at that time. On July 21, 2020, based upon the information contained in the complaint and information provided by respondents, the Commission voted to dismiss allegations that Vermont ETV, Inc. d/b/a Vermont PBS, violated provisions of the Act. The Commission then closed its file in this matter. A copy of the General Counsel’s Report, which more fully explains the basis for the Commission’s decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel’s Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). If you have any questions, please contact Don Campbell, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

A handwritten signature in blue ink, appearing to read "Lisa J. Stevenson".

BY: Jeff S. Jordan
Assistant General Counsel

Enclosure:
General Counsel’s Report

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: 7619

Respondent: Vermont ETV, Inc. d/b/a
Vermont Public Broadcasting System¹

Complaint Receipt Date: June 21, 2019

Response Date: July 31, 2019

Alleged Statutory Regulatory Violations: **52 U.S.C. §§ 30104(f)(3)(B)(iii); 30116(a)(1)(A); 30121
11 C.F.R. §§ 110.13; 114.4(f); 110.20**

The Complaint alleges that Vermont Public Broadcasting System (“Vermont PBS”) excluded the Complainant² from its candidate debates because she was an independent candidate.³ Specifically, the Complaint alleges that Vermont PBS favored Democratic and Republican Party candidates over independent candidates, and by doing so made in-kind contributions to the Democratic and Republican Party candidates.⁴ In response, Vermont PBS states that the U.S. House of Representatives candidates’ debate that it aired complied with the Commission’s candidate debate staging regulations, using pre-established selection criteria that were in no way designed to

¹ Vermont PBS is the Public Broadcasting Service member network for the state of Vermont, and is owned by Vermont ETV, Inc., a domestic nonprofit corporation.

² Complainant Cris Ericson was a candidate to represent Vermont in the U.S. House in 2018. She lost in the November 6, 2018, general election with 3.3% of the vote. She describes herself as a “perennial political candidate” who has run for federal office every two years since 2004. Compl. at 1 (June 21, 2019).

³ Compl. at 2-3.

⁴ Compl. at 3. Complainant also alleges that because Vermont PBS is able to be viewed in Canada, it is possible that Vermont PBS received donations from Canadian citizens, and may have used those funds to finance televised debates, and by doing so may have facilitated foreign national contributions to the candidates that participated in the debates. *Id.* at 3-5. The Complainant also questions whether Canadian lawyers or lobbyists paid Vermont PBS specifically to exclude her from the 2018 debates, due to her stated opposition to foreign nationals voting in U.S. elections. *Id.* at 4-5. The Complaint does not provide any information supporting these claims.

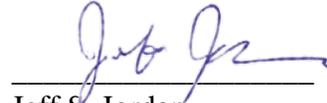
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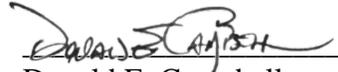
BY:



Stephen Gura
Deputy Associate General Counsel



Jeff S. Jordan
Assistant General Counsel



Donald E. Campbell
Attorney