



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Andrew H. Werbrock, Esq.  
Perkins Coie LLP  
700 13<sup>th</sup> Street, Suite 600  
Washington, D.C. 20005-2011

**MAR 11 2014**

RE: MUR 6757  
Gillibrand for Senate

Dear Mr. Werbrock:

On March 5, 2014, the Federal Election Commission accepted the signed conciliation agreement you submitted on behalf of your client, Gillibrand for Senate and Karen Feldman in her official capacity as treasurer ("Committee"), in settlement of a violation of 2 U.S.C. § 434(b), a provision of the Federal Election Campaign Act of 1971, as amended. 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* 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). Information derived in connection with any conciliation attempt will not become public without the written consent of the Committee and the Commission. *See* 2 U.S.C. § 437g(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) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter G. Blumberg".

Peter G. Blumberg  
Assistant General Counsel

Enclosure  
Conciliation Agreement

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**BEFORE THE FEDERAL ELECTION COMMISSION**

In the matter of )  
 )  
 Gillibrand for Senate and Karen ) MUR 6757  
 Feldman in her official capacity ) (formally RR 13L-01)  
 as treasurer )  
 )  
 )

**CONCILIATION AGREEMENT**

This matter was initiated pursuant to information ascertained by the Federal Election Commission (the "Commission") in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Gillibrand for Senate and Karen Feldman in her official capacity as treasurer ("Respondent" or "Committee") violated 2 U.S.C. § 434(b).

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 2 U.S.C. § 437g(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:

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1. Gillibrand for Senate is the designated principal campaign committee for Kirsten Gillibrand, a successful New York candidate for Senate in the 2010 and 2012 election cycles. Karen Feldman is the Committee's treasurer of record.

2. The Federal Election Campaign Act of 1971, as amended (the "Act"), requires committee treasurers to file reports of receipts and disbursements in accordance with the provisions of 2 U.S.C. § 434. See 2 U.S.C. § 434(a)(1); 11 C.F.R. § 104.1(a). These reports must include, *inter alia*, the total amount of receipts and disbursements. See 2 U.S.C. § 434(b); 11 C.F.R. § 104.3. The Act also requires committees to disclose itemized breakdowns of receipts and disbursements. See 2 U.S.C. § 434(b)(2)-(6); 11 C.F.R. §§ 104.3(a)(3)-(4), (b)(2)-(4).

3. On January 31, 2012, and May 4, 2012, the Committee amended twelve reports originally filed with the Commission to disclose increased receipts totaling \$12,124.00 and increased disbursements totaling \$229,478.83. These amendments are reflected in the chart below.

Report	Date of Amendment	Amount of Increased Receipts	Amount of Increased Disbursements	Total Increased Activity
2009 April Quarterly	01/31/2012		\$13,612.03	\$13,612.03
2009 July Quarterly	01/31/2012		\$11,012.46	\$11,012.46
2009 October Quarterly	01/31/2012		\$13,957.44	\$13,957.44
2009 Year-End	01/31/2012		\$21,434.93	\$21,434.93
2010 April Quarterly	01/31/2012		\$19,714.00	\$19,714.00
2010 July Quarterly	01/31/2012		\$25,610.87	\$25,610.87
2010 October Quarterly	01/31/2012		\$18,455.73	\$18,455.73
2010 30 Day Post-General	01/31/2012		\$12,990.37	\$12,990.37
2011 April Quarterly	01/31/2012	\$12,124.00	\$48,499.77	\$60,623.77
2011 July Quarterly	05/04/2012		\$44,191.23	\$44,191.23
	<b>TOTAL</b>	<b>\$12,124.00</b>	<b>\$229,478.83</b>	<b>\$241,602.83</b>

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4. Respondents contend that these amended reports were the result of a proactive review of the Committee's prior FEC filings conducted in August 2011 by a newly retained accounting firm. This internal review was completed prior to the Reports Analysis Division's referral of this matter and the corrected reports were prepared and filed at Respondents' own initiative and expense.

V. Respondent violated 2 U.S.C. § 434(b) by failing to disclose accurately a total of \$12,124.00 in receipts and \$229,478.83 in disbursements on its original 2009 April Quarterly, 2009 July Quarterly, 2009 October Quarterly, 2009 Year-End, 2010 April Quarterly, 2010 July Quarterly, 2010 October Quarterly, 2010 30 Day Post-General, 2011 April Quarterly, and 2011 July Quarterly Reports.

VI. 1. Respondent will pay a civil penalty to the Commission in the amount of Eight Thousand Dollars (\$8,000), pursuant to 2 U.S.C. § 437g(a)(5)(B).

2. Respondent will cease and desist from committing the violations of 2 U.S.C. § 434(b) described in this agreement.

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(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.

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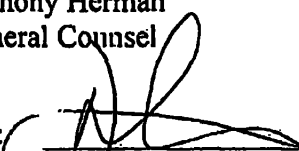
IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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 within this written agreement shall be enforceable.

FOR THE COMMISSION:

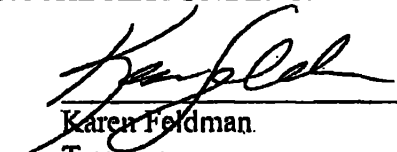
Anthony Herman  
General Counsel

BY:

  
\_\_\_\_\_  
Daniel A. Petalas  
Associate General Counsel  
for Enforcement

3/10/14  
Date

FOR THE RESPONDENT:

  
\_\_\_\_\_  
Karen Feldman  
Treasurer  
Gillibrand for Senate

1/8/14  
Date

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