



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	
AB PAC and Rodell Mollineau in his official capacity as	)	MUR 7284
treasurer (f/k/a American Bridge 21 <sup>st</sup> Century)	)	
	)	
Correct the Record and Elizabeth Cohen in her official	)	
capacity as treasurer	)	

**STATEMENT OF REASONS OF CHAIR SHANA M. BROUSSARD**

This matter involves various 2015 transactions between three related entities – independent expenditure only political committee AB PAC and Rodell Mollineau in his official capacity as treasurer (formerly known as American Bridge 21<sup>st</sup> Century) (“AB PAC”), hybrid political committee Correct the Record and Elizabeth Cohen in her official capacity as treasurer (“CTR”) and Section 501(c)(4) corporation American Bridge 21<sup>st</sup> Century Foundation (“AB Foundation”) – that were not properly reported on AB PAC and CTR’s 2015 Year End Reports.

In April 2019, the Commission found reason to believe that AB PAC violated 52 U.S.C. § 30104(b) by: (1) failing to report a \$610,800 debt to the related AB Foundation in connection with its pre-payment of shared salary and overhead expenses, (2) failing to report an in-kind contribution from AB Foundation in connection with its expenditure of \$150,000 to lease an email list that was provided to AB PAC, and (3) misreporting the purpose of a transfer to AB PAC from CTR to compensate AB PAC for the transfer of the email list; and that CTR violated 52 U.S.C. § 30104(b) by misreporting the purpose of its payment to AB PAC for the email list.<sup>1</sup>

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<sup>1</sup> Certification, MUR 7284 (American Bridge 21<sup>st</sup> Century *et al.*) (Apr. 24, 2019), and Factual and Legal Analyses, MUR 7284.

The Commission's Office of General Counsel ("OGC") investigated this matter between 2019 and 2020, seeking information as to the circumstances of these transactions and whether there was a wider pattern of similar unreported transactions.

On December 23, 2020, OGC sent AB PAC and CTR separate General Counsel's Briefs indicating it was prepared to recommend that the Commission find probable cause to believe that AB PAC violated 52 U.S.C. § 30104(b) by failing to report debt totaling \$610,800 owed to AB Foundation, failing to report the receipt of the mailing list valued at \$150,000 from AB Foundation, and misreporting \$150,000 of a \$400,000 payment Correct the Record made to obtain the mailing list; and that the now-defunct CTR violated 52 U.S.C. § 30104(b) by misreporting the purpose of the payments it made to AB PAC obtain the mailing list.

On January 7, 2021, Respondents filed a Joint Reply Brief arguing, among other things, that the information pertaining to the mailing list allegation originated from materials "illegally obtained by Russian military intelligence and provided to Wikileaks."<sup>2</sup>

Notwithstanding the apparent violation of the Act's reporting requirements with regard to the mailing list transactions, I had equitable concerns about the use of illegally obtained WikiLeaks information by the Complainant. Thus, I joined with my colleagues in voting to dismiss the allegations relating to the mailing list transactions pursuant to *Heckler v. Chaney*, 470 U.S. 821 (1985).<sup>3</sup>

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<sup>2</sup> *Id.* at 4.

<sup>3</sup> Certification, MUR 7284 (AB PAC) (Mar. 11, 2021); Certification, MUR 7284 (Correct the Record) (Mar. 11, 2021) (recording the Commission's vote to dismiss the matters as to all Respondents and close the file.

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May 18, 2021  
Date

A handwritten signature in blue ink that reads "Shana M. Broussard". The signature is written in a cursive style with a large, looping initial 'S'.

Shana M. Broussard  
Chair