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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

SENSITIVE**MEMORANDUM**

April 25, 2024

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Krista J. Roche *KJR*
Director, ADR Office

Rosa Marshall *RM*
Assistant Director, ADR Office

SUBJECT: Recommendation to Dismiss
ADR 1153 - Libertarian National Committee, Inc.
and Todd C. Hagopian, Treasurer (C00255695)

The Office of General Counsel (OGC) transferred MUR 8180 to the Alternative Dispute Resolution Office (ADRO) on December 8, 2023, and the ADRO designated the matter as ADR 1153. The ADR Office recommends the Commission dismiss the matter. We include a summary and analysis of the matter for your review.

Summary and Analysis: On October 10, 2023, Jeremy David Kantorowicz filed a Complaint with the Federal Election Commission alleging that Libertarian National Committee, Inc. and Todd C. Hagopian, Treasurer (Respondents or the Committee) failed to properly itemize or disclose disbursements paid with the Committee's credit card. The Complaint references incurred credit card debts disclosed on the Committee's 2023 July Monthly, August Monthly, and September Monthly Reports, totaling \$38,240.16¹. The

¹ The Complaint references debts totaling \$38,240.16; however, the Committee has since filed amendments to the 2023 July, August, and September Monthly Reports which reduce the amounts incurred for some of the referenced credit card debts. As of the Committee's most recent amendments, filed on December 20, 2023, the referenced credit card debt totals \$30,488.33.

Complaint further references instructions on the Commission's website² and contends political parties reporting operating expenditures charged on a committee credit card must itemize, as a memo entry, any specific transactions charged on a credit card.

In a response dated November 1, 2023, the Committee states that the credit card transactions listed in the Complaint are debts that are properly disclosed on Schedule D (Debts and Obligations) of their reports. Respondents also explain that memo entries with the ultimate payee information are disclosed when the outstanding debts are reported as paid on Schedule B (Itemized Disbursements).

Upon review of the Committee's reports by the Reports Analysis Division (RAD), it appears the Committee properly disclosed and itemized disbursements related to its credit card per 52 U.S.C. §§ 30104(b)(5) and (b)(8), 11 C.F.R. § 104.9. The Committee's reports adhere to the reporting guidance contained on the Commission's website³, which states:

...A credit card *payment* must be itemized on Schedule B, supporting Line 21(b) if payments exceed the \$200 aggregate threshold during the calendar year...The committee must also itemize, as a memo entry, any specific transactions charged on a credit card if payments to the actual vendor exceed the \$200 aggregate threshold during the calendar year. (emphasis added)

The Committee satisfied the Commission's reporting requirements by disclosing the credit card payments and the related memo entries on their 2023 November Monthly Report, filed November 20, 2023. Specifically, on Schedule D, the Committee reports each of the referenced debts, totaling \$30,488.33, were paid in full. In addition, on Schedule B, the Committee discloses the related disbursements as credit card payments and itemizes ultimate payee information as memo entries.

Accordingly, the ADRO recommends the Commission dismiss this matter.

² <https://www.fec.gov/help-candidates-and-committees/filing-political-party-reports/credit-card-disbursements/>

³ [See Footnote 2.](#)



RECOMMENDATIONS:

1. Dismiss ADR 1153 (MUR 8180).
2. Approve the appropriate letters.