

Washington State Democrats

Paul Berendt, Chair

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COMMISSION
OFFICE OF GENERAL
COUNSEL

2004 MAY 19 A 10:01

May 12, 2004

Lawrence Norton, Esq.
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

MUR # 5451

Re: Failure to file disclosure reports

Dear Mr. Norton:

We file this complaint alleging violations of the Federal Election Campaign Act, 2 U.S.C. § 431 *et seq.* (2003) ("the Act"), and its implementing regulations by Crowson for Congress ("the Committee"), the principal campaign committee of Thomas Crowson, a Republican candidate for U.S. House of Representatives in the Third District of Washington, and Mr. Crowson as treasurer of the Committee (collectively, "Respondents").

Respondents have violated the Act and Commission regulations by failing to file the Committee's disclosure reports as required by 2 U.S.C § 434 and 11 C.F.R. pt. 104.

The Facts

On September 8, 2003, Mr. Crowson filed with the Commission FEC Form 2, Statement of Candidacy for U.S. House of Representatives, on which he declared his candidacy and designated the Committee as his principal campaign committee. As treasurer of the Committee, Mr. Crowson also filed the Committee's FEC Form 1, Statement of Organization on September 8, 2003. Since that time, Mr. Crowson has filed no reports with the Federal Election Commission, in violation of the Act's reporting requirements. The Committee, and Mr. Crowson as its treasurer, have failed to file both the Committee's October quarterly report, which was due on October 15, 2003, its 2003 year-end report, which was due on January 31, 2004, and its April quarterly report due on April 15, 2004. In an April 27, 2004 article in *The Columbian* (see attached), Mr. Crowson acknowledged that he has self-funded his campaign with \$25,000.

[/Crowson Complaint]

Washington State Democratic Central Committee ▪ PO Box 4027 ▪ Seattle, WA 98104-0027
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Violations of the Law

Mr. Crowson and his political committee have violated core provisions of the Act and their implementing regulations by failing to file required reports disclosing the committee's contributions and expenditures. Full disclosure of contributions and expenditures by every federally-registered political committee is a bedrock of federal campaign finance law. See, e.g., S. Rep. No. 92-96, at 124 (1971) (statement of Messrs. Prouty, Cooper, and Scott) ("The lack of complete and full disclosure erodes competence in the entire elective process and if allowed to continue would only serve to generate pressures against our democratic form of government.").

Commission regulations require the treasurer of every federally registered political committee to file regular reports on which he or she discloses the committee's contributions and expenditures. 11 C.F.R. § 104.1. These reports must be filed on a quarterly basis (on April 15, July 15, and October 15) every year, with a year-end report due on January 31 of the following year. 11 C.F.R. § 104.5. Any person who knowingly and willfully violates any reporting provision of the Act with respect to contributions or expenditures aggregating \$2,000 or more (but less than \$25,000) may be subject to fines and imprisonment. 2 U.S.C. § 437g. Knowing and willful violation of such reporting provisions with respect to contributions or expenditures aggregating to higher amounts may be subject to fines and imprisonment for up to five years. Id. Commission regulations require civil money penalties to be imposed on political committees that fail to file regular reports even if the violation was not knowing and willful. 11 C.F.R. § 111.43.

Conclusion

By failing to file its quarterly and year-end reports, Mr. Crowson's political committee, and Mr. Crowson as its treasurer, have committed violations of the Act that strike at the heart of federal campaign finance law. Full and complete disclosure of campaign contributions and expenditures is crucial to maintain the integrity of the

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law. The Commission should not tolerate such flagrant disregard of the Act and its regulations.

We ask that the Commission immediately conduct an investigation into this matter, and contact Mr. Crowson, if it has not already done so, to notify him of these violations of the Act. Furthermore, we ask the Commission to pursue this matter to the full extent of the law. Because Mr. Crowson is a federal candidate, we presume that he is aware of the Act's reporting requirements, and thus that the Committee's failure to file its reports is knowing and willful under the Act, subject to criminal penalties under this statute.

Very truly yours,



Paul Berendt, Chairman

Washington State Democratic Central Committee

Attachment: Jenkins, Don. "Baird, Dicks make sweep through county." *The Columbian*. April 27, 2004.

STATE OF Washington)
County of Thurston)

SUBSCRIBED AND SWORN to before me this 14th day of May, 2004.



Julie A. Dover
Notary Public

My Commission Expires:
September 27, 2007

M O V I E S

Baird, Dicks make sweep through county

DON JENKINS, *Columbian* staff writer

April 27, 2004; Page c1

With a congressional elder in tow, U.S. Rep. Brian Baird on Monday toured the Vancouver National Historic Reserve, visited several manufacturers and raised money for his re-election bid.

Baird and Rep. Norm Dicks spent much of the day touring local businesses, several of which have military contracts. Dicks, D-Bremerton, is the senior member of Washington's congressional delegation and sits on committees that parcel out military contracts. The pair also visited the Vancouver Veterans Affairs campus. The fund-raiser featuring Dicks added to Baird's war chest, which was up to \$911,291 by the end of March, according to campaign records.

While Baird approached a million dollars, his two Republican opponents were far very far below six figures.

Still, Baird, a Vancouver Democrat seeking his fourth term, said he feels like he's in a campaign.

"That's why I'm spending time raising money," he said after the fund-raiser at the Marshall House. "You'd be a fool not to prepare. Our district is a swing district."

Baird already has more money than the \$782,000 he spent two years ago to defeat state Sen. Joe Zarelli, R-Ridgefield.

One of Baird's two GOP challengers, Castle Rock Republican Dawn Courtney, reported having \$7,848 on hand at the end of March.

Although she's received no help from the party or political action committees, she said Monday she should have \$15,000 soon.

"I know that's not a lot in the big scheme of things, but to get \$15,000 from \$15, \$20, \$25 checks, that's a lot," said Courtney, a marketing representative for a chain of radio stations.

The other Republican candidate, Olympia homebuilder Tom Crowson, said Monday he hasn't raised enough money yet to file campaign reports. He said he put \$25,000 of his own money into an account he can draw on.

"It's not like I don't have anything," he said.

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A retired firefighter and self-described disciple of former conservative Hazel Dell lawmaker Linda Smith, Crowson also has a slogan, "Send Yourself to Congress," coined by his wife, Tootie.

Neither Crowson nor Courtney have run for political office before.

Crowson said that party bosses tell him he needs \$2.25 million to get his message out.

He said that he figures that if he can get out his Bush-like message on tax cuts and the war on terror, he would get contributions.

Which way wind blows

His fortunes could hinge, he said, on whether Democratic presidential nominee John Kerry "self-destructs," dragging the whole party down.

"We all know political winds can change and anything can happen in this election," Crowson said.

Courtney has a similar pro-tax cut, stay-the-course-in-Iraq message. She said she's focused on raising money and mounting a credible campaign.

"When you feel something in your heart and soul and you feel it's what you must do, you get out and do the best you can, and that's what I'm doing," she said.

Baird's campaign already has helped two Democratic candidates, making \$1,350 contributions to state legislative candidates Dave Seabrook and Craig Pridemore.

Dicks, elected to the House in 1976, serves on the House Appropriations' Defense, Military Construction and Interior subcommittees.

"He's the go-to guy in the Northwest," Baird said.

DON JENKINS covers politics. He can be reached at 360-759-8038 or don.jenkins@columbian.com.

Cutline: Congressmen Brian Baird, left, and Norm Dicks tour the Counting House at the Fort Vancouver National Historic Site on Monday with Supt. Tracy Fortmann and Chief Ranger Greg Shine.

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