



FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 20, 2010

Earl Jenkins, Treasurer
Congressional Black Caucus PAC
455 Massachusetts Avenue NW #150-355
Washington, DC 20001

Re: ADR 556 (RAD 10L-15)
Congressional Black Caucus PAC and Earl Jenkins, Treasurer

Dear Mr. Jenkins:

The Reports Analysis Division (RAD) of the Federal Election Commission (FEC or Commission) determined that matters arising from its recent review of reports filed by the Congressional Black Caucus PAC warranted further examination for possible violation of the Federal Election Campaign Act of 1971, as amended. The Commission, thereafter, reviewed the file and assigned this matter to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with the Congressional Black Caucus PAC and Earl Jenkins, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate, and if necessary, mediate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations and/or mediation are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the Program, i.e., negotiation and/or mediation, you must: 1) indicate in writing a willingness to have your case submitted to the ADR process; 2) agree to participate in the bilateral negotiations and if necessary, mediation; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADRO, and the focus of our subsequent negotiations, are summarized as follows:

RAD referred Respondents for failing to disclose all financial activity on their 2009 Year End Report, as well as their 2010 April Quarterly Report. The Committee filed its original 2009 Year End Report on January 29, 2010. An amended 2009 Year End Report

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
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was filed on May 14, 2010 that disclosed additional receipts of \$142,087.64 and additional disbursements of \$135,616.50. Respondents filed an original 2010 April Quarterly Report on April 15, 2010, and an amended 2010 April Quarterly Report on May 14, 2010 that disclosed additional receipts of \$115,000.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondents would like this case selected for ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. **Failure to respond affirmatively within fifteen (15) business days of receipt of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as ADR 556. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADRO at my direct dial as indicated below

Sincerely,

Lynn Fraser, Director
Alternative Dispute Resolution Office
202-694-1665

Enclosures:

ADR Frequently Asked Questions
Commitment to Submit Matter to ADR and Designation of Representative/Counsel