



Federal Election Commission
Washington, DC 20463

December 1, 2011

Christopher DeLacy
HOLLAND & KNIGHT, LLP
2099 Pennsylvania Ave, NW, Suite 100
Washington, DC 20006

Re: ADR 575 (RAD 11L-14)
Vern Buchanan for Congress and Joseph R. Gruters, Treasurer

Dear Mr. DeLacy:

Enclosed is the signed copy of the agreement resolving the referral initiated on June 10, 2011, by the Federal Election Commission ("FEC/Commission") Vern Buchanan for Congress and Joseph R. Gruters, Treasurer ("Respondents"). The agreement for ADR 575 was approved by the Commission on November 29, 2011— the effective date of the agreement.

Note the specific time frames for compliance in **paragraph 6** of the agreement. **Please forward to this office, a statement confirming Respondent's compliance with the terms listed in the aforementioned agreement.** The letter should note the dates on which Respondents satisfied each of the terms listed in **paragraph 6**, and contain the ADR caption and case number. **The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on or before December 29, 2011. Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.**

As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

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This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities regarding violations of federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

Krista J. Roche, Assistant Director
Alternative Dispute Resolution Office
202-694-1661

Enclosure: Negotiated Settlement

cc: Gwen Holmes, Finance and Accounting Office

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Federal Election Commission
Washington, DC 20463

Case Number: ADR 575
Source: RAD 11L-14
Case Name: Vern Buchanan for Congress

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Commission entered into negotiations with Christopher DeLany, Esq., representing Vern Buchanan for Congress and Joseph R. Gruters, in his official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondents voluntarily enter into this agreement with the Commission.
3. Respondents received \$27,900 in contributions designated for 2010 Primary Election debt retirement when the Committee had no debts outstanding from the 2010 Primary Election. The Committee did not refund, reattribute, or redesignate the contributions within the permissible timeframe. However, all refunds have subsequently been made.
4. Contributions designated for a primary election may be accepted after the date of the primary election to the extent that the contributions do not exceed net debts outstanding from the primary election. 2 U.S.C. § 441(a), 11 C.F.R. § 110.1(b)(3).
5. Respondents contend that the acceptance of the contributions to retire primary election debt resulted from a miscommunication between campaign staff and a compliance vendor which resulted in a miscalculation of net debt leading the Respondents to believe there was sufficient primary election debt to offset the contributions.

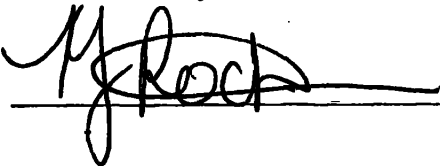
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6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) external review of all reports prior to submission for a period of one year from the effective date of this agreement; (b) circulate a memo to all staff regarding calculation of net debt within thirty (30) days of the effective date of this agreement; (c) send a representative to an FEC seminar within one year of the effective date of this agreement; and (d) pay a civil penalty of \$1,500 within thirty (30) days of the effective date of this agreement.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 575 (RAD 11L-14), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

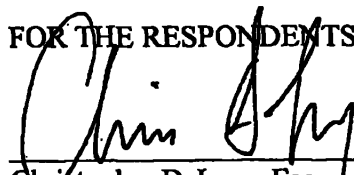
FOR THE COMMISSION:

Krista J. Roche, Assistant Director
Alternative Dispute Resolution Office



11/30/11
Date Signed

FOR THE RESPONDENTS:



Christopher DeLacy, Esq.
Representing Vern Buchanan for Congress
and Joseph R. Gruters, Treasurer

11/30/11
Date Signed