



**Federal Election Commission  
Washington, DC 20463**

December 21, 2012

Alexander Rabb, Esq.  
Levy Ratner  
80 8<sup>th</sup> Avenue, 8<sup>th</sup> Floor  
New York, NY 10011

Re: ADR 606 & ADR 608 (RAD 12L-09 and MUR6480)  
CT Working Families Federal PAC D/B/A Take Back Congress CT and  
Timothy Sullivan, Treasurer

Dear Mr. Rabb:

Enclosed is the signed copy of the agreement resolving the referral initiated on March 3, 2012 by the Federal Election Commission ("FEC/Commission") and the complaint filed on March 5, 2012 with the Commission against the CT Working Families Federal PAC D/B/A Take Back Congress CT and Timothy Sullivan, in his official capacity as Treasurer ("Respondents"). The agreement for ADR 606 (RAD 12L-09) and ADR 608 (MUR 6480) was approved by the Commission on December 18, 2012— the effective date of the agreement.

Note the specific time frames for compliance in paragraph 9 of the agreement. Please forward to this office, a statement certifying 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 9, 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 January 18, 2013.<sup>1</sup> 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 complaint/referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by

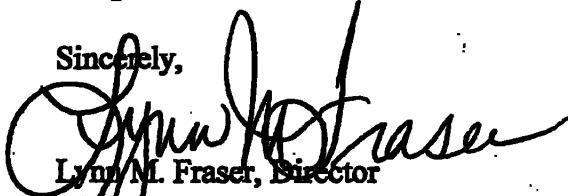
<sup>1</sup> Please note, if the Commission refers an unpaid civil penalty to the US Treasury or third party collection agent, additional costs and fees will be assessed.

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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.

This agreement resolves the RAD referral 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, as well as the complaint that was brought to the attention of the FEC by the Connecticut Republicans regarding an alleged violation of the federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,



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

Enclosure: Agreement

cc: Gwen Holmes, Finance and Accounting Office  
Room 819



**Federal Election Commission  
Washington, DC 20463**

Case Number: ADR 606

Source: RAD 12L-09

Case Number: ADR 608

Source: MUR 6480

Case Name: CT Working Families Federal PAC  
D/B/A Take Back Congress CT

### **NEGOTIATED SETTLEMENT**

ADR 606 was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. ADR 608 was initiated by a signed, sworn and notarized complaint filed by Christopher C. Healy, Chairman of the Connecticut Republicans. Following review of these matters, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve these matters, the Commission entered into negotiations with Alexander Rabb, Esq., representing the CT Working Families Federal PAC D/B/A Take Back Congress CT and Timothy Sullivan, 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 both the complaint and the referral, and consolidated resolution in this single agreement. 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. In ADR 606, the Reports Analysis Division (RAD) referred the Respondents for failing to accurately disclose all financial information in nine reports; specifically their 2010 February Monthly, 2010 May Monthly, 2010 June Monthly, 2010 July Monthly, 2010 October Monthly, 2010 30 Day Post-General, 2010 Year-End, 2011 February Monthly and 2011 March Monthly Reports. In amended reports filed July 28, 2011, the Committee disclosed additional receipts of \$41,334.96 and additional disbursements of \$55,232.87.

ADR 606 (RAD 12L-09)

ADR 608 (MUR 6480)

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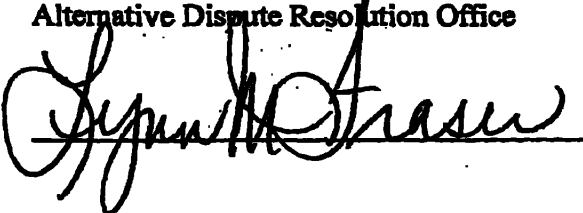
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4. In ADR 608, the Complainant alleges that the Committee violated the FECA and Commission regulations because it does not use the State Party's name in its name. The complaint also alleges that Respondents violated the FECA by accepting contributions from the State Party that were not "listed as income" on their FEC reports.
  5. Treasurers of political committees are required to report all financial activity, including all receipts and all disbursements, pursuant to the FECA. 2 U.S.C. §§ 434(a)(1), 434(b)(2), 434(b)(4), 11 C.F.R. §§ 104.1, 104.3(a)-(b).
  6. A state, district or local committee of a political party that has established separate Federal and non-Federal accounts, including related allocation accounts under 11 C.F.R. § 102.5 must report all payments that are allocable between these accounts pursuant to the allocation rules in 11 C.F.R. § 106.7. Disbursements for activities that are allocable between Federal and Levin accounts, including related allocation accounts, must be reported pursuant to 11 C.F.R. § 300.36.
  7. Respondents acknowledge that, due to the inexperience of staff, the nine reports noted by RAD contained incomplete information. The Committee filed amended reports to correct the record as soon as the errors were noted. In addition, Respondents sent a representative to a FEC conference to increase compliance with reporting obligations.
  8. Respondents contend that the Complainant's allegations are in error, and request that the Commission dismiss the complaint in ADR 608 (MUR 6480). Respondents further contend the Committee's name complies with Commission regulations, as it does not include the name of any candidate. In addition, Respondents argue that the funds received from the State Party were not illegal contributions, but rather permissible reimbursements of allowable expenses for shared activities that were funded by the Federal PAC.
  9. Respondents, in an effort to remain compliant in the future, agree to: (a) develop and certify implementation of a compliance operations manual which includes internal controls consistent with the Commission's Best Practices for Committee Management (2009 update) and a process to track receipt of, and response to, communications with the Commission within ninety (90) days of the effective date of this agreement; (b) designate a compliance specialist within thirty (30) days of the effective date of this agreement; and (c) pay a civil penalty of \$2,500 within thirty (30) days of the effective date of this agreement.
  10. 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.
  11. 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.

12. 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 9 above, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.

13. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 606 (RAD 12L-09) and ADR 608 (MUR 6551), and resolves those issues identified in paragraphs 3 and 4 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Lynn M. Fraser, Director  
Alternative Dispute Resolution Office



12/18/2012  
Date Signed

FOR THE RESPONDENTS:



Alexander Rabb, Esq.  
Representing the CT Working Families Federal PAC  
D/B/A Take Back Congress CT and Timothy Sullivan, Treasurer

5/18/12  
Date Signed

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