



Federal Election Commission  
Washington, DC 20463

November 21, 2014

Jan Witold Baran , Esq.  
Wiley Rein LLP  
1776 K Street NW  
Washington, DC 20006

Re: ADR 734 (RAD 14L-30)  
Congressional Leadership Fund and Caleb Crosby, Treasurer

Dear Mr. Baran:

Enclosed is the signed copy of the agreement resolving the referral initiated on August 18, 2014 by the Federal Election Commission ("FEC/Commission") involving the Congressional Leadership Fund and Caleb Crosby , Treasurer ("Respondents"). The agreement for **ADR 734 (RAD14L-30)** was approved by the Commission on **November 20, 2014** – 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 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 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 20, 2014.<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 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

<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.

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 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,

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

Enclosure: Agreement

cc: Gwen Holmes and Adam Liu, Finance and Accounting Office  
Room 819



**Federal Election Commission  
Washington, DC 20463**

Case Number: ADR 734  
Source: RAD 14L-30  
Case Name: Congressional  
Leadership Fund

**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 Jan W. Baran, Esq. and Caleb P. Burns, Esq., representing the Congressional Leadership Fund and Caleb Crosby, 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.

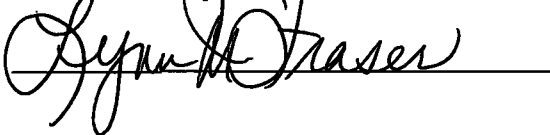
Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

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 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g).
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division (RAD) referred the Committee for failing to disclose all its financial activity on its 2012 July Quarterly, its 2012 October Quarterly and its 2012 30 Day Post-General Reports. The Committee filed these three original reports on July 15, 2012, October 15, 2012 and December 6, 2012 respectively. Amended 2012 July Quarterly Reports were filed on July 27, 2012 and December 19, 2012 that disclosed additional receipts of \$14,000.00. An Amended 2012 October Quarterly Report was filed on December 19, 2012 that disclosed additional receipts of \$35,000. An Amended 2012 30 Day Post-General Report was also filed on December 19, 2012 that disclosed additional receipts of \$10,264.18. The aggregate of additional receipts for these three reports is \$59,264.18.
4. Treasurers of political committees are required to report all financial activity, including all receipts, pursuant to the FECA. 52 U.S.C. §§ 30104(a)(1), 30104(b)(2) (formerly 2 U.S.C. §§ 434(a)(1), 434(b)(2)), 11 C.F.R. §§ 104.1, 104.3(a).

5. Respondents contend that administrative oversight caused \$55,264.18 of in-kind contributions to not be included in the reports. In addition, a vendor belatedly notified the Committee of a \$4,000 contribution received, and it was included in the Amended 2012 July Quarterly Report filed July 27, 2012. When these omissions were discovered, Respondents took immediate steps to remedy and disclose them and to make changes to their internal procedures.
6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) certify that a compliance specialist has been designated within thirty (30) days of the effective date of this agreement; (b) certify that a Committee representative participated in an FEC conference, webinar, or other program developed in consultation with the FEC's Information Division within twelve (12) months of the effective date of this agreement; and (c) pay a civil penalty of \$1,550 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, 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.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 734 (RAD 14L-30), 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:

Lynn M. Fraser, Director  
Alternative Dispute Resolution Office

  
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11-20-2014  
Date Signed

FOR THE RESPONDENTS:

  
Caleb Crosby, Treasurer  
Congressional Leadership Fund

11/1/2014  
Date Signed