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May 13, 2018

Jeff S. Jordan  
Assistant General Counsel  
Complaints Examination &  
Legal Administration  
Federal Election Commission  
1050 First Street, NE  
Washington, DC 20016

Re: MUR 7639

Dear Mr. Jordan:

This letter responds to the allegations contained in your letter dated April 26, 2018 that was the result of a complaint filed by the Campaign for Accountability ("CfA"), a liberal self-proclaimed watchdog group, and CfA's supplemental filing. That complaint alleges that 223 C Street, LLC and Vicki Hart, as Governor of 223 C Street, LLC, violated the Federal Election Campaign Act ("FECA") and Commission regulations.

After billing issues regarding the use of a condominium owned by 223 C Street, LLC by the Mike Crapo for U.S. Senate committee and by the Freedom Fund/Idaho Conservative Growth Fund affiliated committees were made known to 223 C Street, LLC and Ms. Hart earlier this year, Ms. Hart thru counsel and with the aforementioned committees immediately commenced an internal review. The internal review concluded that due to honest administrative error, the use of the condominium by the committees had not been invoiced within a commercially reasonable time and at the normal commercial rental rate notwithstanding the intent to do so.

Please find below a summary of the result of the internal review for each of the respective committees:

## **Mike Crapo for U.S. Senate**

The internal review found that the committee paid for all catering, cleaning, telephone calls, and staff expenses associated with each use of the condominium. However, the committee did not pay for or report the costs of each use of the condominium rental space, which the committee understood to be in-kind contributions from Ms. Vicki Hart. On May 12, 2015, Ms. Hart provided the committee with a letter indicating that she was making a personal in-kind contribution of \$1,000 to the committee for the use of the condominium from January 2015 to June 2015.

The committee disclosed this in-kind contribution on its July 2015 Quarterly Report to the FEC. Ms. Hart recently informed the committee that the cost of the event space is \$100 per use. On 4/20/2018, the committee reimbursed 223 C Street, \$6,700.00 for the 67 campaign-related events held in the space during the 2016 election cycle and \$1,100.00 for the 11 campaign-related events held in the space during the 2022 election cycle.

## **Freedom Fund/Idaho Conservative Growth Fund**

The internal review found that the committee paid for all catering, cleaning, and staff expenses associated with each use of the condominium. However, the committee did not pay for or report the costs of the condominium rental space, which the committee understood to be in-kind contributions from Ms. Vicki Hart. Ms. Hart recently informed the committee that the cost of the event space is \$100 per use. On 4/20/2018, the committee reimbursed 223 C Street, LLC, which is governed by Ms. Hart, \$200 for the two fundraising events held in the space in 2014 and \$100 for the one fundraising event held in the space in 2017.

## **Conclusion**

It is therefore clear that the usage of the condominium did not result in any in kind or corporate contribution, but simply vendor usage that had not been invoiced or reported due to honest administrative error. The required payments and reporting have now been effectuated, and this matter should therefore be dismissed. Please don't hesitate to ask should you have any questions.

Very truly yours,



Elliot S. Berke