



FEDERAL ELECTION COMMISSION
Washington, DC 20463

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2 TO: The Commission
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4 FROM: Lisa J. Stevenson
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11 Deputy Associate General Counsel for Enforcement
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13 BY: Mark Allen *MA*
14 Assistant General Counsel
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19 SUBJECT: MUR 7568 (Alpha Marine Services Holdings, LLC) Pre-Probable Cause
20 Conciliation and Case Closing Memorandum
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23 On August 19, 2019, the Commission found reason to believe that Alpha Marine Services
24 Holdings, LLC (“Alpha” or “Respondent”) violated 52 U.S.C. § 30119(a)(1) by making a
25 prohibited federal contractor contribution.¹ The Commission also authorized pre-probable cause
26 conciliation with the Respondent and approved a conciliation agreement.²

27 We
28 recommend that the Commission accept the negotiated agreement and close the file in this
29 matter.
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31 The attached conciliation agreement has two substantive changes to the agreement
32 approved by the Commission: the inclusion of certain language requested by the Respondent
33 and a reduced civil penalty.
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¹ See Certification, MUR 7568 (Aug. 19, 2019).

² *Id.*

1 First, in Section IV, new Paragraph 4 includes Alpha’s contention that “upon learning of
2 the complaint, and upon recognition that its actions did violate the Act, it promptly sought and
3 received a refund of the contribution.” Further, Respondent contends that “it has consistently
4 cooperated with the Commission throughout this proceeding.”⁴ The proposed language is in the
5 form of contentions and does not undercut Alpha’s admission that it violated the Act. The
6 revised agreement also adds Paragraph 5 to reflect that the Commission did not find that the
7 violation was knowing and willful, an accurate representation of the Commission’s reason to
8 believe finding.⁵ Therefore, these changes are acceptable.
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13 We believe this negotiated settlement represents an acceptable resolution of this matter.
14 We therefore recommend that the Commission accept the signed conciliation agreement with
15 Alpha Marine Services Holdings, LLC.
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17 In addition, at the time the Commission found reason to believe as to Alpha, it took no
18 action as to Congressional Leadership Fund (“Committee”), the recipient of the Alpha
19 contribution at issue.⁶ We learned of no additional information
20 that would indicate that the Committee knowingly solicited the federal contractor
21 contribution. Therefore, we now recommend that the Commission find no reason to believe that
22 Congressional Leadership Fund and Caleb Crosby in his official capacity as treasurer violated
23 52 U.S.C. § 30119(a)(2) and close the file.
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25 **RECOMMENDATIONS:**

- 26 1. Accept the attached conciliation agreement with Alpha Marine Services Holdings,
27 LLC;
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29 2. Find no reason to believe that Congressional Leadership Fund and Caleb Crosby in
30 his official capacity as treasurer violated 52 U.S.C. § 30119(a)(2);
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32 3. Approve the appropriate letters; and
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34 4. Close the file.
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⁴ See Alpha Agreement ¶ IV.4; Attach. 2 (redline).

⁵ See Alpha Agreement ¶ IV.5; Attach. 2 (redline).

⁶ See Certification, MUR 7568 (Aug. 19, 2019).