

## JONES DAY

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March 25, 2019

VIA EMAIL

Jeff Jordan, Esquire  
 Assistant General Counsel  
 Complaints Examination & Legal Administration  
 Federal Election Commission  
 1050 First Street, NE  
 Washington, DC 20436

Re: MUR 7569

Dear Mr. Jordan:

We submit this response on behalf of Congressional Leadership Fund and Caleb Crosby, in his capacity as Treasurer (collectively, “CLF”), in the above-referenced MUR.

This matter must be dismissed immediately as to CLF. The Complaint never alleges that CLF violated the Federal Election Campaign Act (the “Act”) or FEC regulations – nor does it even name CLF as a respondent. It claims only that the 3M Company may have violated the Act’s prohibition on contributions by federal government contractors when it contributed to CLF on November 1, 2018, as disclosed on CLF’s 2018 Post-General Report. There is no allegation that CLF knew 3M to be a federal government contractor, and in fact, CLF had no such knowledge until *after* it received the Complaint in this MUR<sup>1</sup> – at which time CLF promptly investigated the contribution and immediately refunded it upon learning that 3M holds federal contracts.<sup>2</sup>

It is well established that the Act and FEC regulations prohibit committees’ *knowing* solicitation of federal contractor contributions.<sup>3</sup> In the past, the Commission has routinely dismissed actions against unknowing recipients of such contributions.<sup>4</sup> Consistent with that precedent, the Commission must do so here with respect to CLF.

Respectfully submitted,



Allison Davis Tuck  
 Megan Sowards Newton

<sup>1</sup> As the Complaint acknowledges, CLF’s online donation page contained, at the time of 3M’s contribution (and today), an attestation statement requiring donors to expressly confirm that they are not federal government contractors.

<sup>2</sup> The refund to 3M Company will be reflected on CLF’s upcoming 2019 July Semi-Annual Report.

<sup>3</sup> 52 U.S.C. § 30119; 11 C.F.R. §§ 115.1 and 115.2.

<sup>4</sup> See, e.g., MUR 3110 (M.D.C. Holdings, Inc.); MUR 2582 (Birdview Satellite Communications); MUR 7099 (Suffolk Construction Company).