

BEFORE THE FEDERAL ELECTION COMMISSION

)
)
)

MUR 7843

**RESPONSE OF CONGRESSIONAL LEADERSHIP FUND AND CALEB CROSBY AS
TREASURER**

By and through undersigned counsel, Congressional Leadership Fund and Caleb Crosby as Treasurer (collectively, “CLF” or “Respondents”) respond to the Complaint filed in the above-captioned Matter Under Review.

Because the Complaint does not allege that CLF violated the Federal Election Campaign Act (the “Act”) or FEC regulations – or even name CLF as a respondent, this Complaint must be dismissed as to CLF immediately. The Complaint claims only that Marathon Petroleum Company LP may have violated the Act’s prohibition on contributions by federal government contractors when it contributed to CLF on July 28, 2020. There is no allegation that CLF knew Marathon Petroleum Company LP to be a federal government contractor. In fact, the Complaint acknowledges that CLF’s online donation page contains a disclaimer stating “Contributions from ...Federal Contractors are prohibited.”¹ Furthermore, the paper solicitation form that CLF sent to the donor also stated that “Contributions from ... Federal contractors are prohibited.” (Attachment A). Upon receipt of the Complaint in this MUR, CLF promptly investigated the contribution and immediately refunded it.²

The Act and FEC regulations prohibit committees’ *knowing* solicitation of federal contractor contributions.³ As such, the Commission has routinely dismissed actions against

¹ Complaint of Campaign Legal Center in MUR 7843 at ¶7.

² The refund will be reflected on CLF’s 2020 Post-General Report.

³ 52 U.S.C. § 30119; 11 C.F.R. §§ 115.1 and 115.2.

unknowing recipients of such contributions.⁴ Consistent with that precedent, the Commission must do so here with respect to CLF.

Respectfully submitted,

A handwritten signature in blue ink that reads "Megan S. Newton".

Megan Sowards Newton
JONES DAY
51 Louisiana Avenue, N.W.
Washington, DC 20001
Tel. (202) 879-3939
mnewton@jonesday.com

*Counsel for Congressional Leadership Fund
and Caleb Crosby as Treasurer*

⁴ See, e.g., MUR 3110 (M.D.C. Holdings, Inc.); MUR 2582 (Birdview Satellite Communications); MUR 7099 (Suffolk Construction Company); MUR 7568 (Alpha Marine Services Holdings, LLC).

ATTACHMENT A

CONGRESSIONAL LEADERSHIP FUND



Congressional Leadership Fund

July 13, 2020

Invoice

1747 Pennsylvania Ave. NW, Fifth Floor
Washington DC 20006

ATTENTION:

Marathon Petroleum Company
Attn: Mr. Jake Menefee
1201 F Street NW, Suite 625
Washington, DC 20004

Description	Amount
Contribution to Congressional Leadership Fund	\$500,000
Amount Due:	\$500,000

Wiring Information

Receiving bank: Chain Bridge Bank, N.A., McLean, VA
Routing/Transit Number: [REDACTED]
For credit to (or Beneficiary): Congressional Leadership Fund
Beneficiary's account number: [REDACTED]

Contributions to the Congressional Leadership Fund are not tax deductible. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year. Contributions from foreign nationals and Federal contractors are prohibited.

Paid for by The Congressional Leadership Fund,
www.congressionalleadershipfund.org, 1747 Pennsylvania Ave. NW, Fifth Floor,
 Washington DC 20006 and not authorized by any candidate or candidate's
 committee.

1747 Pennsylvania Ave, NW 5th Floor | Washington, DC 20006

Phone: 202-559-6426 Fax: 202-347-5009

www.CongressionalLeadershipFund.org