



FEDERAL ELECTION COMMISSION
Washington, DC 20463

VIA ELECTRONIC MAIL

Leticia C. Smith
5507 Fords Endeavor Dr.
Bowie, MD 20720
leticiasmith@lslegalmediation.com

February 27, 2023

RE: MUR 8069
Friends of Warren Christopher

Dear Ms. Smith,

On February 22, 2023, the Federal Election Commission accepted the signed conciliation agreement submitted by you on behalf of Friends of Warren Christopher and you in your official capacity as treasurer, in settlement of violations of 52 U.S.C. § 30104(a), (b), a provision of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. §§ 104.1, 104.3, provisions of the Commission's regulations. Accordingly, the Commission has closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1574 or jdigiovanni@fec.gov.

Sincerely,

Justine A. di Giovanni
Attorney

Enclosure:
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Friends of Warren Christopher and Leticia C.) MUR 8069
Smith in her official capacity as treasurer)
)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Friends of Warren Christopher and Leticia C. Smith in her official capacity as treasurer (the “Committee” or “Respondent”) violated 52 U.S.C. § 30104(a), (b) of the Federal Election Campaign Act of 1971, as amended (the “Act”), and 11 C.F.R. §§ 104.1(a), 104.3 of the Commission’s regulations by failing to file disclosure reports disclosing cash on hand, receipts, and disbursements.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondent and the subject matter of this proceeding, and this Agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

MUR 8069 (Friends of Warren Christopher)

Conciliation Agreement

Page 2 of 6

1. The Committee is the principal campaign committee of 2014 and 2016 congressional candidate Warren Christopher, and it first registered with the Commission on October 1, 2013.

2. Leticia C. Smith is the Treasurer of the Committee.

3. Warren Christopher was a 2016 candidate for the U.S. House of Representatives for the Fourth Congressional District in Maryland. He lost the Democratic primary election held on April 26, 2016.

4. On January 9, 2017, the Committee filed a Miscellaneous Text Submission with the Commission that stated that the Committee had had no activity following the April 2016 primary election, and that there was no activity during the 2016 October Quarterly reporting period.

5. On February 1, 2017, the Committee filed its 2016 Year-End and October Quarterly Reports, which each disclosed no contributions or disbursements for the reporting periods and a closing cash-on-hand balance of \$117,764.01. These were the last disclosure reports filed by the Committee until the miscellaneous submission discussed in paragraph IV.9, below.

6. The Committee contends that the cash-on-hand balance was artificially inflated as a result of incorrectly reporting six in-kind contributions from Christopher to the Committee as cash contributions. These contributions are as follows:

a. On the Committee's 2015 July Quarterly Report, a \$20,715.00 in-kind contribution from Christopher dated April 24, 2015, was reported as a cash candidate contribution;

MUR 8069 (Friends of Warren Christopher)

Conciliation Agreement

Page 3 of 6

- b. On the Committee's 2015 September Quarterly Report, a \$27,852.61 in-kind contribution from Christopher dated August 15, 2015, and a \$926.98 in-kind contribution from Christopher dated September 30, 2015, were reported as cash candidate contributions;
- c. On the Committee's 2015 Year-End Report, a \$26,577.84 in-kind contribution from Christopher dated December 31, 2015, was reported as a cash candidate contribution;
- d. On the Committee's 2016 12-Day Pre-Primary Report, a \$24,045.00 in-kind contribution from Christopher dated January 15, 2016, was reported as a cash candidate contribution; and
- e. On the Committee's 2016 July Quarterly Report, a \$19,743.87 in-kind contribution from Christopher dated April 11, 2016, was reported a cash candidate contribution.

7. The Committee contends that the transactions listed in Paragraph IV.6 represent occasions on which Christopher paid campaign expenses on the Committee's behalf for which he did not seek reimbursement from the Committee. The Committee contends that it no longer has further information regarding the precise expenditures at issue.

8. The Committee contends that its cash-on-hand balance as of December 31, 2016, was \$0.00, and that the Committee has had no activity during or after the 2016 October Quarterly reporting period, nor in any election cycle since 2016.

9. On January 11, 2023, the Committee filed a submission with the Commission correcting the record as to the transactions discussed in Paragraph IV.6, the Committee's lack of activity since 2016, and the Committee's cash-on-hand balance, and requesting termination.

MUR 8069 (Friends of Warren Christopher)
Conciliation Agreement
Page 4 of 6

10. The Act and Commission regulations require committee treasurers to file reports of receipts and disbursements in accordance with the schedules prescribed at 52 U.S.C. § 30104(a). The principal campaign committees for candidates for the House of Representatives must file reports on a quarterly basis and, during election years, must also file pre- and post-general election reports. 52 U.S.C. § 30104(a)(2); 11 C.F.R. § 104.5(a). These reports must include, among other things, the total amount of receipts, disbursements, and cash on hand, including the appropriate itemizations, where required. 52 U.S.C. § 30104(b); 11 C.F.R. § 104.3.

11. Committees have a continuing obligation to file reports until they terminate with the Commission. 52 U.S.C. § 30103(d)(1); 11 C.F.R. § 102.3(a)(1). A committee may terminate “only upon filing a termination report on the appropriate FEC Form or upon filing a written statement containing the same information with the Commission. . . . In addition to the Notice, the committee shall also provide a final report of receipts and disbursements, which . . . shall include a statement as to the purpose for which such residual funds will be used” 11 C.F.R. § 102.3(a)(1).

12. The Committee failed to file disclosure reports with the Commission following its 2016 Year-End Report, misreported \$119,861.30 in in-kind contributions as cash campaign contributions, and misreported its cash on hand.

V. The Committee violated 52 U.S.C. § 30104(a), (b) and 11 C.F.R. §§ 104.1 and 104.3 by failing to file accurate reports disclosing its receipts, disbursements, and cash on hand.

VI. The Committee will cease and desist from violating 52 U.S.C. § 30104(a), (b) and 11 C.F.R. §§ 104.1, 104.3.

VII. Under ordinary circumstances, the Commission would seek a civil penalty based on the violations outlined in this agreement. However, based on the circumstances presented,

MUR 8069 (Friends of Warren Christopher)
Conciliation Agreement
Page 5 of 6

including the age of the violations at issue and the Committee's clarification of the public record regarding its receipts, cash on hand, and activity since the 2016 election cycle, the Commission agrees to depart from the civil penalty that it would normally seek for the violations at issue, and the Commission agrees that no civil penalty will be due for the violations. The Commission regards the Committee's contentions about its financial activities during and after the 2016 election cycle as material to its determination not to assess a civil penalty in this matter.

VIII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This Agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire Agreement.

X. Respondent shall have no more than 30 days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

MUR 8069 (Friends of Warren Christopher)
Conciliation Agreement
Page 6 of 6

oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lisa J. Stevenson
Acting General Counsel

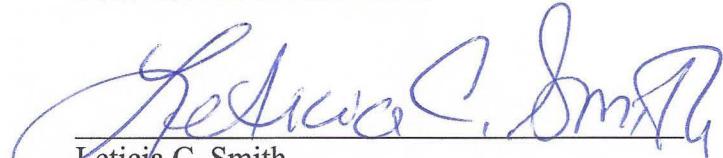
BY: **Charles Kitcher**
Charles Kitcher
Associate General Counsel for Enforcement

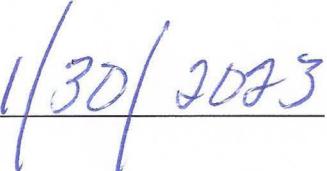
Digitally signed by
Charles Kitcher
Date: 2023.02.24
08:45:41 -05'00'

2/24/23

Date

FOR THE RESPONDENT:


Leticia C. Smith
Treasurer


Date 1/30/2023