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October 17, 2008

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VIA HAND DELIVERY

Jeff S. Jordan, Esquire
Supervisory Attorney
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

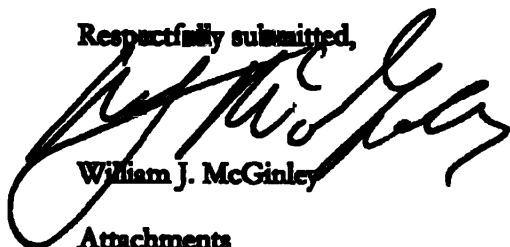
Re: MUR 6054
Vern Buchanan for Congress
and Nancy H. Watkins, as Treasurer

Dear Mr. Jordan:

Please find attached the response of our clients, Vern Buchanan for Congress and Nancy H. Watkins, as Treasurer, to the notification by the Federal Election Commission that a complaint had been filed against them in the above-referenced matter.

Please contact me if you have any questions.

Respectfully submitted,



William J. McGinley

Attachments

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
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BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of

Vern Buchanan for Congress,
and Nancy Watkins, as Treasurer

MUR 6054

**REPLY OF VERN BUCHANAN FOR CONGRESS
TO THE COMPLAINT FILED IN MUR 6054**

This responds on behalf of our client, Vern Buchanan for Congress ("VBFC" or "Campaign"), to the notification by the Federal Election Commission ("Commission") that a Complaint had been filed against it in the above-referenced matter. The Campaign generally and specifically denies the allegations contained in the Complaint. The Commission must dismiss this matter and take no further action against VBFC.

Initially, this Complaint was filed by Citizens for Responsibility and Ethics in Washington ("CREW"), an organization with a history of filing nuisance complaints against its political opponents.¹ CREW's history of filing nuisance complaints with the Commission must be a factor in reviewing the allegations contained in the Complaint.²

¹ See, e.g., (1) MUR 5448 (ADR 182) (U.S. Cuba Democracy PAC) (\$0 civil money penalty); (2) MUR 5439 (ADR 173) (Bacardi, USA, Inc. PAC) (\$750 civil penalty); (3) MUR 5671 (ADR 298) (Bacardi USA, Inc. PAC) (complaint dismissed, \$0 civil penalty); (4) MUR 5710 (ADR 333) (Citizens for Bunning) (complaint dismissed, \$0 penalty); (5) MUR 5409 (Americans for Tax Reform) (no further action, \$0 penalty); (6) MUR 5475 (Nader for President) (no reason to believe, \$0 civil penalty); (7) MUR 5489 (Bush-Cheney '04) (no reason to believe regarding Bush-Cheney '04, \$0 civil penalty); (8) MUR 5677 (Hastert for Congress) (no reason to believe, \$0 civil penalty).

² Ironically, CREW does not appear to practice what it preaches when it comes to compliance issues. In 2005, the Hill ran an editorial chastising CREW for the secrecy concerning its board of directors. See *The Hill, Who Is CREW?* (March 30, 2005) ("CREW's secrecy is hypocritical. . . . If CREW wants to clean up Washington, it needs to learn that transparency starts at home."). Moreover, The Hill also reported that CREW may have failed to register with the District of Columbia and secure a charitable solicitation license. See Alexander Bolton, *Watchdog's Tax Status, Politics Are Questioned*, The Hill (March 14, 2007). CREW's defense to this potential registration and reporting oversight was to claim that they followed the advice of their accountant. See *id.* ("Sloan said that CREW has an accountant and files 'whatever forms our accountant tells us.'").

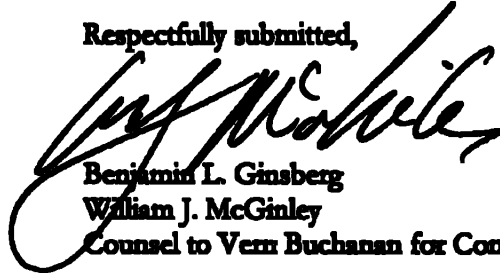
After receiving a copy of the Complaint, VBFC performed a review of its records to determine whether any of the individuals listed in the Complaint contributed to the Campaign. Copies of the contribution checks received by the campaign from the individuals listed in the Complaint are attached as Exhibit A. The Campaign has no records indicating that David Padilla, Brad Combs, or Willie Lee contributed to VBFC.

As can be seen from the copies of the contribution checks, the contributions are all facially permissible under Commission regulations. Each check was drawn on a personal or joint checking account and the amounts comply with the applicable contribution limits for the election cycle in which the contributions were made and received by the Campaign. Some of the contribution checks were appropriately redesignated or reattributed in accordance with Commission regulations.

VBFC's actions in this matter comply with Commission regulations. First, the Campaign performed a review of records and filings after learning of the alleged violations. Second, VBFC has internal controls designed to detect and refund any facially impermissible donations made to the Campaign. The contributions at issue in this matter, however, were facially permissible and there was no apparent reason to question the contributions at the time they were received by the campaign. Third, VBFC has placed the contributions at issue in this matter in reserve pending the disposition of this matter.

For the foregoing reasons, VBFC respectfully requests that the Commission find no reason to believe, dismiss this matter, and take no further action against the Campaign.

Respectfully submitted,



Benjamin L. Ginsberg
William J. McGinley
Counsel to Vern Buchanan for Congress

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