



Federal Election Commission
Washington, DC 20463

March 3, 2016

Stephan Passantino, Esq.
Dentons US LLP
1900 K Street, NW
Washington, DC 20000

Re: ADR 772 (MUR 6518)
Newt 2012 and Lisa Lisker, Treasurer

Dear Mr. Passantino:

Enclosed is the signed copy of the agreement resolving the referral initiated on June 16, 2015 by the Federal Election Commission ("FEC/Commission") involving Newt 2012 and Lisa Lisker, Treasurer ("Respondents"). The agreement for ADR 772 (MUR 6518) was approved by the Commission on February 23, 2016 – the effective date of the agreement.

Note the specific time frames for compliance in paragraph 6 of the agreement. Please forward to this office, a statement certifying Respondent's compliance with the terms listed in the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6, and contain the ADR caption and case number.

As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities regarding violations of federal election campaign laws. I appreciate your

assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

Lynn M. Fraser, Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement



Federal Election Commission
Washington, DC 20463

Case Number: ADR 772
Source: MUR 6518
Case Name: Newt 2012

NEGOTIATED SETTLEMENT

This matter was initiated by a complaint filed by Citizens for Responsibility and Ethics in Washington (Complainant). Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Federal Election Commission (Commission) entered into negotiations with Stefan C. Passantino, Esq., representing Newt 2012 and Lisa Lisker, in her official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this complaint. The parties agree to resolve the matter according to the following terms:

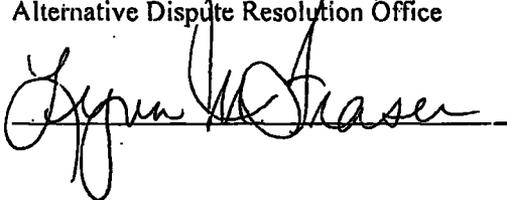
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 52 U.S.C. § 30109.
2. Respondents voluntarily enter into this agreement with the Commission.
3. Complainant alleges that Respondents violated 52 U.S.C. § 30104 and 11 C.F.R. § 104.9 when they failed to disclose the \$47,005 debt to the former candidate, Newt Gingrich, for the mailing list on its 2011 October Quarterly Report. In addition, the complaint alleges the Committee did not comply with the FECA's reporting requirements when it disclosed the purpose of the \$47,005 debt on its Amended 2011 October Quarterly Report as "Travel."
4. Treasurers of political committees are required to disclose all financial activity, including the amount and nature of outstanding debts and obligations owed by or to the political committee. 52 U.S.C. § 30104(b)(8), 11 C.F.R. § 104.3(d).
5. Respondents contend that they did report the debt of \$47,005 on the Committee's 2011 July Quarterly Report, albeit it was listed as "Direct Mail List/Travel." The Committee's 2011 October Quarterly Report, filed on October 15, 2011, erroneously reported its beginning balance of debt owed to Newt Gingrich and to other vendors and omitted the \$47,005 entry due to a software load issue. The Committee independently identified and

remedied this error without prompting from the Commission. When the Amended 2011 October Quarterly Report was filed on January 31, 2012, the Committee disclosed the \$47,005 debt entry, correcting the starting balance for the Newt Gingrich debt, but still incorrectly showing the purpose as "Travel." Subsequently, the Committee's 2011 Year End Report disclosed payment to Newt Gingrich of the \$47,005 for the list purchase, as well as other travel expenses.

6. Respondents, in an effort to resolve this matter agree to: (a) file a FEC Form 99 correcting and clarifying the debt for the mailing list within thirty (30) days of the effective date of this agreement; and (b) as the Committee wishes to terminate its political committee status, Respondents will certify the closure of the Committee's federal account and, in compliance with 11 C.F.R. § 116.7, file a debt settlement plan with the Commission prior to filing its termination report within ninety (90) days of the effective date of this agreement, and work with Commission staff to terminate their political committee status and reporting obligations with the Commission. The Committee will continue reporting until such time as the termination has been approved.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 772 (MUR 6518), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Lynn M. Fraser, Director
Alternative Dispute Resolution Office



2/23/2016

Date Signed

FOR THE RESPONDENTS:



Stefan C. Passantino, Esq.
Representing Newt 2012, Inc. and
Lisa Lisker, Treasurer

11/16/15

Date Signed