



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 19, 2019

Christopher Marston, Treasurer  
Trooien for US Senate  
PO Box 26141  
Alexandria, VA 22313

Re: ADR 902 (P-MUR 622)  
Trooien for US Senate and Christopher Marston, Treasurer

Dear Christopher Marston:

The Federal Election Commission (FEC or Commission) referred a compliance issue to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing. The referral by the Office of General Counsel was based on a *sua sponte* submission filed by Trooien for US Senate which alleges a violation of the Federal Election Campaign Act of 1971, as amended.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with Trooien for US Senate and Christopher Marston, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the ADR Program, you must: 1) indicate in writing a willingness to have your case submitted for ADR processing; 2) agree to participate in the bilateral interest based negotiations; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADRO, and the focus of our subsequent negotiations are summarized as follows:

Trooien for U.S. Senate and Chris Marston, Treasurer (Respondents or the Committee) filed a *sua sponte* submission dated January 29, 2019, indicating that they failed to disclose all financial activity on the 2018 October Quarterly Report originally filed on October 15, 2018. The *sua sponte* submission states that they omitted \$45,000 in receipts and \$45,000 in disbursements.

In the sua sponte submission, Respondents state that the omissions were the result of an inadvertent error that occurred when regular reconciliation procedures failed to detect a payment made on the candidate's personal credit card. The Committee states that it was largely funded by the candidate and that the omitted disbursement was to a vendor already included on the original report. The Committee states that it performed a year-end review of the candidate's personal credit card statements and discovered the errors. The Committee filed an Amended 2018 October Quarterly Report on January 29, 2019 disclosing the omitted financial activity. Further, the sua sponte submission explains that while the Committee is winding down activity, if it becomes active in another election cycle, it will adopt policies to ensure that errors of this nature will not happen again.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondent(s) would like to participate in ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. **Failure to respond affirmatively within fifteen (15) business days from the date of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as **ADR 902**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADRO at my direct dial as indicated below

Sincerely,

*Krista J. Roche*

Krista J. Roche

Director

Alternative Dispute Resolution Office

Enclosures:

Commitment to Participate in ADR & Designation of Representative/Counsel