



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

October 9, 2024

Dacey Montoya, Treasurer
Mark Kelly for Senate
PO Box 97241
Phoenix, AZ 85060

**Response Due Date
October 30, 2024**

Re: ADR 1184 (RAD 24L-32)
Mark Kelly for Senate and Dacey Montoya, Treasurer (C00696526)

Dear Dacey Montoya:

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 Reports Analysis Division (RAD) was based on a review of reports filed by Mark Kelly for Senate which reflect a possible failure to comply with 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 Mark Kelly for Senate and Dacey Montoya, 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:

The Reports Analysis Division (RAD) referred Mark Kelly for Senate and Dacey Montoya, Treasurer (Respondents or the Committee) for failing to remedy excessive 2022 primary and general election contributions totaling

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
1050 FIRST STREET N.E., WASHINGTON, D.C.
TELEPHONE: (202) 694-1152
EMAIL: RMARSHALL@FEC.GOV

\$81,881.97 within the permissible timeframe. At this time, \$6,425.00 in 2022 primary and general election contributions remain unremedied.

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.

This matter has been designated as **ADR 1184**. 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,

Rosa Marshall

Rosa Marshall
Assistant Director
Alternative Dispute Resolution Office

