



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 20, 2012

Jason Torchinsky, Esq.  
HOLTZMAN VOGEL JOSEFIK PLLC  
45 North Hill Drive, Suite 100  
Warrenton, VA 20186

Re: ADR 619 (P-MUR 536)  
The Common Sense Movement

Dear Mr. Torchinsky:

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 the *sua sponte* submission filed on May 7, 2012 which acknowledges 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 The Common Sense Movement (Respondent). 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:

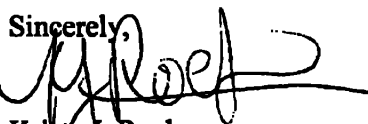
OGC referred Respondent for violations disclosed in a *sua sponte* submission dated May 9, 2012. In that submission Respondent disclosed the failure to timely file a 24-Hour Notice for an independent expenditure totaling \$29,760 for a television ad that aired from April 17-22, 2012. Respondent contends that on May 7, 2012, as soon as the oversight was uncovered, the proper FEC form was filed. According to the *sua sponte* submission, the television ad at issue also failed to include the statement "Common Sense Movement is responsible for the content of this advertising."

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE  
999 E STREET N.W., WASHINGTON, DC 20463  
TELEPHONE: 202.694.1661 FAX: 202.219.0613  
EMAIL: KROCHE@FEC.GOV

12190292689

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 of receipt 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 619**. 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  
Assistant Director  
Alternative Dispute Resolution Office

Enclosures: ADR Frequently Asked Questions  
Commitment to Submit to ADR & Designation of Representative/Counsel