



FEDERAL ELECTION COMMISSION
Washington, DC 20463

March 11, 2014

Martin H. Nesbitt, Treasurer
Obama for America
PO Box 8102
Chicago, IL 60680

Re: ADR 700 (RAD 14L-01)
Obama for America and Martin H. Nesbitt, Treasurer

Dear Mr. Nesbitt:

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 Obama for America 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 Obama for America and Martin H. Nesbitt, 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 concludes 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:

Summary of Case: RAD referred Obama for America and Martin H. Nesbitt, Treasurer (Respondents or the Committee) for a failure to timely refund, reattribute or redesignate excessive contributions during the 2012 Primary and General Elections. Respondents received excessive contributions totaling \$160,271.74 for the 2012 Primary and General

Elections from two hundred (200) individuals. The Committee did not timely refund, reattribute, or redesignate these excessive contributions.

Respondents contend that they worked consistently to remedy excessive contributions, but due to sheer volume it took time. The Committee filed amended reports to correct the record as the process to remedy the excessive contributions continued.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondents 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 700**. 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,

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

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