



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

June 25, 2015

Stefan C. Passantino, Esq.  
McKenna Long & Aldridge LLP  
1900 K Street, NW  
Washington, DC 20006

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

Dear Mr. Passantino:

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 was based on a complaint filed by Citizens for Responsibility and Ethics in Washington, 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 Newt 2012, Inc. and Lisa Lisker, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate settlement of a matter that is mutually agreeable. 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:** The Committee violated 52 U.S.C. § 30104 (formerly 2 U.S.C. § 434) and 11 C.F.R. § 104.9 when it failed to disclose the \$47,005 debt to Gingrich for the mailing list on its 2011 October Quarterly Report. In addition, Respondents 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" and the purpose of the \$47,005 payment on 2011 Year End Report as "Direct Mailing List/Travel."

Respondents contend the sole purpose of this debt and disbursement was to compensate Gingrich for the mailing list and was unrelated to travel.

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 Participate in 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 772. 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 Participate in ADR  
Designation of Representative/Counsel