



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

October 3, 2017

Chris Ashby  
Ashby Law  
717 Princess St  
Alexandria, VA 22314

Re: ADR 839 (RR 17L-14)  
McMullin for President Committee Inc. and Joel Searby, Treasurer

Dear Mr. Ashby:

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 McMullin for President Committee Inc. which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended. The Reports Analysis Division (RAD) referred RR 17L-14 to the Office of General Counsel (OGC) for processing, and OGC transferred the matter to the ADR Office.

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 McMullin for President Committee Inc. and Joel Searby, 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:

**Summary of Case:** RAD referred McMullin for President Committee Inc. and Joel Searby, Treasurer, (Respondents or the Committee) for failing to disclose all financial activity. The Committee disclosed a total of \$578,101.47 in debts on amended reports all filed on November 7, 2016. The Committee filed an Amended 2016 September Monthly

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE  
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Report disclosing additional debts of \$169,759.20. The Committee filed an Amended 2016 October Monthly Report to disclose additional debts of \$339,389.57. The Committee also filed an Amended 12 Day Pre-General Report to disclose additional debts of \$68,952.70.

In a response filed by counsel, Respondents contend that invoices were inadvertently omitted from original reports due to a high volume of transactions occurring rapidly after the candidate's announcement, three months prior to the general election. Respondents contend that out of hundreds of invoices received and processed, only several that should have been subject to debt reporting were omitted from relevant reports.

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 839**. 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  
Acting Director  
Alternative Dispute Resolution Office