



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 17, 2018

Gwen Benevento, Esq.  
1800 Glenarm Place, Suite 950  
Denver, CO 80202

Re: ADR 854  
Make America Great Again and Leslie Caldwell, Treasurer

Dear Gwen Benevento:

Enclosed is the signed copy of the Negotiated Settlement resolving the above-shown matter. The Negotiated Settlement was approved by the Commission on Thu 4/12/2018 – the effective date of the agreement.

Note the specific time frames for compliance detailed in the agreement. Please forward to this office, a statement confirming Respondent's compliance with each term. The letter should note the dates on which Respondents satisfied each of the terms and contain the ADR case number. For your convenience, a compliance chart is attached.

Under the terms of the agreement, a civil penalty in the amount of \$3,375 is due on May 11, 2018. Kindly review the attached payment instructions for details on payment methods and the collection of unpaid debts.

As you are aware, the Negotiated Settlement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our negotiations, and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Records Office.

This agreement resolves this matter. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

*Krista J. Roche*

Krista J. Roche

Director

Alternative Dispute Resolution Office

Enc: Payment Instructions  
Compliance Chart  
Negotiated Settlement

cc: Gwendolyn Holmes, Finance and Accounting Office



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

Case Number: ADR 854  
Source: AD A17-14  
Case Name: Make America Great Again

**NEGOTIATED SETTLEMENT**

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Commission entered into negotiations with Gwen Benevento representing Make America Great Again and Leslie Caldwell, in her official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 52 U.S.C. § 30109.
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division referred and the Audit Division transferred Respondents for a series of reporting errors and other FECA violations during the 2015-2016 election cycle. The Committee's reporting errors included, among other items: failure to file reports and late filing, mathematical discrepancies, failure to properly itemize contributions from individuals, and failure to properly itemize disbursements.
4. A political committee may be referred if, after an internal review of reports filed by the committee, the Commission determines the reports do not meet the threshold requirements for substantial compliance with the FECA. 52 U.S.C. § 30109.
5. Respondents contend that there were reporting challenges during the 2016 election cycle. Specifically, the Committee has revised internal procedures regarding report preparation, sought advice from legal counsel regarding compliance, and met with RAD to discuss amending 2016 reports to clarify the public record.

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) amend relevant 2015-2016 reports to address any inadequate responses and nonresponses to requests for additional information from RAD within sixty (60) days of the effective date of this agreement; and (b) pay a civil penalty of \$3,375 within thirty (30) days of the effective date of this agreement.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 854 (AD A17-14), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

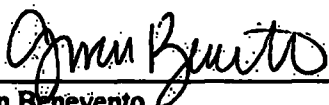
FOR THE COMMISSION:

Krista J. Roche, Director  
Alternative Dispute Resolution Office

  
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4/12/18  
Date Signed

FOR THE RESPONDENTS:

  
Gwen Benevento  
Representing Make America Great Again  
and Leslie Caldwell, Treasurer

3/27/18  
Date Signed