



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 11, 2018

Cynthia Applebaum, Treasurer
Sinema for Congress
P.O. Box 7586
Phoenix, AZ 85011

Re: ADR 885 (MUR 7389)
Sinema for Congress and Cynthia Applebaum, Treasurer

Dear Cynthia Applebaum:

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 a complaint filed by <None> <None> which alleges a violation of the Federal Election Campaign Act of 1971, as amended, by Sinema for Congress.

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 Sinema for Congress and Cynthia Applebaum, 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:

On May 21, 2018, Matthew Anderson filed a Complaint alleging that Sinema for Arizona and Cynthia Leigh Applebaum, Treasurer (Respondents or the Committee) violated the Act's best efforts provisions requiring political committees to seek disclosure information in connection with any contributions received, specifically employer and occupation information. Additionally, the Complainant contends that the Respondents knowingly filed false reports to cover up its failure to seek such information.

In a response dated July 23, 2018, Counsel to the Respondents indicated that the Respondents go above and beyond the Commission's regulations to comply with the best efforts requirements. The response claims that the Respondents proof all solicitation materials to ensure the materials clearly request the contributor's identifying information. The Respondents contend that within 30 days of receiving a contribution without complete donor information, they contact the donor over email or by phone to request the missing information. If that is unsuccessful, the Respondents mail a letter and pre-addressed envelope to obtain the information. The Respondents state that they make three requests for contributor information-one more than required by the Commission's regulations.

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 from the date 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 885**. 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

Krista J. Roche

Director

Alternative Dispute Resolution Office

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