



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 2018

Scott Hubay, Treasurer
Scholten 4Iowa Campaign Committee
P.O. Box 3531
Sioux City, IA 51102

Re: ADR 891 (MUR 7393)
Scholten 4Iowa Campaign Committee and Scott Hubay, Treasurer

Dear Scott Hubay:

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 Lori Adams which alleges a violation of the Federal Election Campaign Act of 1971, as amended, by Scholten 4Iowa Campaign Committee.

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 Scholten 4Iowa Campaign Committee and Scott Hubay, 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: On May 31, 2018, Lori Adams filed a complaint against the Respondents failing to include a "paid for" disclaimer on a mass mailing distributed to the public.

In a response filed by counsel, Respondents acknowledge that a disclaimer should have been included and was not disclosed on the mailing. Respondents contend that since this time they have retained a treasurer experienced in federal campaigns, a new campaign manager familiar with disclaimer requirements, and a more experienced direct mail vendor.

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 891**. 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,

Rosa Marshall

Rosa Marshall
Assistant Director
Alternative Dispute Resolution Office

Enclosures:

Commitment to Participate in ADR & Designation of Representative/Counsel