



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 12, 2018

Jason Torchinsky and Michael Bayes  
American Future Fund  
45 North Hill Drive, Suite 100  
Warrenton, VA 20186

Re: ADR 894 (RR 18L-09)  
American Future Fund

Dear Mr. Torchinsky and Mr. Bayes:

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 review of reports filed by American Future Fund 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 American Future Fund (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:

RAD referred Respondents for failing to timely file their 2016 Year-End Report to support the independent expenditures totaling \$912,250.00 disclosed on one (1) 48-Hour Report and one (1) 24-Hour Report.

In a response filed by counsel, Respondents acknowledge that the report was not timely filed because of an administrative oversight. Respondents contend that once they were made aware of the oversight, the report at issue was filed.

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 894**. 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  
Assistant Director  
Alternative Dispute Resolution Office