



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ashley Stow
2652 Group LLC
PO Box 26141
Alexandria, VA 22314

August 1, 2019

Re: ADR 902 (P-MUR 622)
Trooien for US Senate and Christopher Marston, Treasurer

Dear Ashley Stow:

On January 29, 2019, the Federal Election Commission (FEC/Commission) received a *sua sponte* submission citing certain violations of the Federal Election Campaign Act of 1971, as amended.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and take no action against Trooien for US Senate and Christopher Marston, Treasurer. In its memorandum to the Commission, dated July 9, 2019, the Alternative Dispute Resolution Office (ADRO) stated:

Summary and Analysis of Case: Trooien for U.S. Senate and Chris Marston, Treasurer (Respondents or the Committee) filed a *sua sponte* submission dated January 29, 2019, indicating that they failed to disclose all financial activity on their 2018 October Quarterly Report originally filed on October 15, 2018. The submission acknowledges that they omitted \$45,000 in receipts and \$45,000 in expenditures on the election sensitive report. The Committee also filed the Amended 2018 October Quarterly Report on January 29, 2019, disclosing the additional activity, which consists of a candidate loan and an operating expenditure for digital advertising.

In the *sua sponte* submission filed, the Committee noted that the activity was inadvertently omitted as a result of funds not flowing through the Committee's account, but instead through the candidate's personal credit card. Further, the Committee states that the omission was discovered during a year-end review of the candidate's personal credit card statements, and upon discovery, the Committee filed the amendment, disclosing the omitted financial activity. The Committee additionally stated that it intends to wind down activity, but notes that if it becomes active in another election cycle, it will adopt procedures to ensure that errors of this nature do not happen again.

The ADR Office recommends that the Commission exercise prosecutorial discretion and dismiss the matter which was voluntarily disclosed to the Commission after a year-end review performed by the Respondents. *Heckler v. Chaney* 470 U.S. 821 (1985).

Accordingly, the Commission closed its file on this matter on July 24, 2019.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20. In addition, the Commission will also place on the record copies of the complaint, correspondence exchanged between Respondents and the Commission, and reports prepared for the Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 52 U.S.C. § 30109(a)(8).

Sincerely,

A handwritten signature in black ink, appearing to read "K. Roche", with a long horizontal flourish extending to the right.

Krista J. Roche, Director
Alternative Dispute Resolution Office