



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 27, 2020

Carol A. Laham
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

Response Due Date
August 18, 2020

Re: ADR 966 (P-MUR 632)
Credit Suisse Securities (USA) LLC PAC and Cecilia Guarin, Treasurer

Dear Ms. Laham:

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 your *sua sponte* submission which involves a violation of the Federal Election Campaign Act of 1971, as amended, by Credit Suisse Securities (USA) LLC PAC.

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 Credit Suisse Securities (USA) LLC PAC and Cecilia Guarin, 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 March 12, 2020, a *sua sponte* submission was filed on behalf of Credit Suisse Securities (USA) LLC PAC and Cecilia Guarin, Treasurer, (Respondents or

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the Committee). The submission stated that there was a cash-on-hand discrepancy of \$77,176.63.

The Committee states that in the ordinary course of business, a discrepancy was discovered between the bank balance and the balance shown on FEC reports. In 2019, the Committee hired an external auditor to complete an extensive review of 2014-2018 activity in order to identify the source of the discrepancy. The review identified the main source of the discrepancy as uncashed checks. Subsequently, the Committee completed an internal review of the period prior to 2014 and identified additional uncashed checks. In response to these findings, the Committee voided all checks identified in the audit as outstanding and made a cash-on-hand adjustment on the 2020 March Monthly Report. In addition, the Committee stated it is appointing a new treasurer who attended FEC training, it will complete bank reconciliations on a monthly basis, and it will adopt other Best Practices recommended by the FEC and its external auditor.

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 966**. 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,

A handwritten signature in black ink, appearing to read 'KJ Roche', with a horizontal line extending from the end of the signature.

Krista J. Roche
Director
Alternative Dispute Resolution Office