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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE****MEMORANDUM**

September 10, 2020

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Krista J. Roche *KJR*  
Director, ADR Office

Joshua A. Rebollozo *JAR*  
ADR Specialist, ADR Office

SUBJECT: Recommendation to Approve Negotiated Settlement  
ADR 967 & ADR 969 - Liberty for Us Super PAC and Chris  
Marston, Treasurer (C00676429)

RESOLUTION TERMS: Certify that a representative of the Committee participated in an FEC training; develop and certify implementation of a compliance operations manual; certify that the Committee performed reconciliation of the Committee's accounts for each required FEC report for one year; and pay a civil penalty of \$17,400 paid over 180 days.

Attached for your review is a signed Negotiated Settlement pertaining to ADR 967 (P-MUR 633) and ADR 969 (RAD 20L-12). The ADR Office received the transfer from the Office of General Counsel (OGC) in ADR 967 on June 3, 2020, and the referral in ADR 969 on June 15, 2020.

**SUMMARY:** The Reports Analysis Division (RAD) referred Liberty for Us Super PAC and Chris Marston, Treasurer (Respondents or the Committee) for failing to timely file a total of six (6) 48-Hour Reports supporting eight (8) independent expenditures totaling \$153,400 disclosed on the 2018 July Quarterly Report and the 2018 October Quarterly Report. RAD additionally referred the Committee for failing to disclose additional receipts totaling \$58,000 and additional disbursements

Recommendation to Approve  
Negotiated Settlement  
ADR 967 (P-MUR 633)  
ADR 969 (RAD 20L-12)

totaling \$217,474.53 on the Committee's 2018 July Quarterly Report and 2018 October Quarterly Report combined.

In a *sua sponte* submission received on April 6, 2020, the Committee affirmed the information included in the RAD referral and further stated that the Committee has filed amended reports correcting the reporting errors.

The Committee additionally stated that it has since corrected additional reporting errors that were not included in the RAD referral, including: failing to include the Speech Now v. FEC language in its Statement of Organization, inadvertently filing its 2018 July Quarterly Report on the FEC Form 3 instead of the FEC Form 3X, submitting the 2018 October Quarterly Report without the signature of an authorized individual, failing to file the 2018 30-Day Post General Report and the 2018 Year-End Report, as well as inadvertently disclosing non-federal activity as independent expenditures on Schedule E of the 2019 Mid-Year Report.

**RECOMMENDATIONS:**

1. Approve the attached Negotiated Settlement of Liberty for Us Super PAC and Chris Marston, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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<sup>1</sup> In the RAD 20L-12 referral, RAD notes, "The Committee was not eligible for an audit in the 2017-18 cycle because 5 of these points were accrued in February 2020 which was after the audit cases were forwarded to the Audit division."