



FEDERAL ELECTION COMMISSION
Washington, DC 20463

March 3, 2021

MEMORANDUM

TO: The Commission

FROM: Lisa J. Stevenson *LS / ma*
Acting General Counsel

Charles Kitcher *CK / ma*
Acting Associate General Counsel
for Enforcement

BY: Mark Shonkwiler *MS*
Assistant General Counsel

Ana Peña-Wallace *APW*
Attorney

SUBJECT: MURs 6955 and 6983 (John R. Kasich and Kasich for America)

RE: Proposed Conciliation Agreement for Probable Cause Conciliation

Attached is a proposed conciliation agreement for probable cause conciliation with John Kasich (“Kasich”) and Kasich for America and J. Matthew Yuskewich in his official capacity as treasurer (“KFA”). The proposed agreement is for the Commission’s consideration along with the Office of General Counsel’s Notice to the Commission Following the Submission of Probable Cause Brief in MURs 6955 and 6983 (“OGC Notice”), which is being submitted to the Commission simultaneously with this Memorandum.

The OGC Notice informs the Commission and the Respondents that this Office intends to proceed with the recommendation that the Commission find probable cause to believe that:

(1) Kasich violated 52 U.S.C. § 30102(e)(1) by failing to timely file his Statement of Candidacy;

(2) Kasich and KFA violated 52 U.S.C. §§ 30116(f), 30118(a) and 11 C.F.R. §§ 100.72(a) and 100.131(a) in connection with accepting impermissible, excessive, and unreported contributions from New Day for America (“New Day”) for testing-the-waters activities; (3) Kasich and KFA violated 52 U.S.C. §§ 30116 and 30118(a) by accepting prohibited and excessive in-kind contributions in the form of coordinated communications from New Day; and (4) KFA violated 52 U.S.C. § 30104(b) by failing to disclose contributions from New Day.

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We recommend that the Commission approve the attached conciliation agreement.

RECOMMENDATIONS

1. Approve the attached conciliation agreement.
2. Approve the appropriate letter.

