



FEDERAL ELECTION COMMISSION
Washington, DC 20463

June 2, 2023

By Email Only

jarrett@colbylawoffice.com

Jarrett L. Colby, Esq.

1445 P St NW #608

Washington, D.C. 20005

RE: MUR 7738
Christopher Henry Richardson f/k/a
Christopher Henry Aragon
Americans for Progressive Action USA and
Christopher Henry Richardson f/k/a
Christopher Henry Aragon in his official
capacity as treasurer

Dear Mr. Colby:

On October 8, 2022, your client, Christopher Henry Richardson f/k/a Christopher Henry Aragon, was notified that the Federal Election Commission found reason to believe that he had violated the Federal Election Campaign Act of 1971, as amended (“the Act”) by filing false disclosure reports with the Commission. The Factual and Legal Analysis explaining the basis of the Commission’s decision was provided at that time. The Commission subsequently investigated these violations.

Upon review of the available information, on May 31, 2023, the Commission found reason to believe that Christopher Henry Richardson f/k/a Christopher Henry Aragon and Americans for Progressive Action USA and Christopher Henry Richardson f/k/a Christopher Henry Aragon in his official capacity as treasurer knowingly and willfully violated 52 U.S.C. § 30104(b), a provision of the Act.


Please note that you have a legal obligation to preserve all documents, records, and materials relating to this matter until such time as you are notified that the Commission has closed its file in this matter.¹

In order to expedite the resolution of this matter, the Commission has authorized the Office of General Counsel to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Pre-probable cause conciliation is not mandated by the Act or the Commission’s regulations, but is a

¹ See 18 U.S.C. § 1519.

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voluntary step in the enforcement process that the Commission is offering to you as a way to resolve this matter at an early stage and without the need for briefing the issue of whether or not the Commission should find probable cause to believe that your clients violated the law.



If you are interested in engaging in pre-probable cause conciliation, or have any questions, please contact Richard Weiss, the attorney assigned to this matter, at (202) 694-1021 or rweiss@fec.gov, within seven days of receiving this letter. During conciliation, you may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. The Commission has limited the period of pre-probable cause conciliation to 30 days, after which the Commission may proceed to the next step in the enforcement process if a mutually acceptable conciliation agreement cannot be reached.² Please note that once the Commission enters the next step in the enforcement process, it may decline to engage in further settlement discussions until after making a probable cause finding. Pre-probable cause conciliation, extensions of time, and other enforcement procedures and options are discussed more comprehensively in the Commission's "Guidebook for Complainants and Respondents on the FEC Enforcement Process," which is available on the Commission's website at https://www.fec.gov/resources/cms-content/documents/respondent_guide.pdf.


This matter will remain confidential in accordance with 52 U.S.C. §§ 30109(a)(4)(B) and 30109(a)(12)(A) unless you notify the Commission in writing that you wish that the matter be made public. Please be advised that although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.³

We look forward to your response.

On behalf of the Commission,



Dara Lindenbaum
Chair



² See 52 U.S.C. § 30109(a), 11 C.F.R. Part 111 (Subpart A).

³ The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).