



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

January 6, 2023

TO: Roy Lockett, Assistant General Counsel
Complaints Examination & Legal Administration

FROM: Krista J. Roche
Director, ADR Office **AUDIT REFERRAL# 23-01**

Rosa Marshall *RM*
Assistant Director, ADR Office

CC: Patricia C. Orrock
Chief Compliance Officer

SUBJECT: ADR 1086 (AD A21-13) - SUPPORT AMERICAN LEADERS PAC
(C00688069) and Matthew Nelson Tunstall, Treasurer

The ADR Office (ADRO) hereby transfers the above-referenced matter to the Office of General Counsel (OGC) effective today for appropriate enforcement action.

On November 4, 2021, the Commission voted to transfer a referral from the Reports Analysis Division (RAD) to ADRO for processing, and ADRO designated the referral ADR 1059. The matter was reopened by ADRO, as ADR 1086, on August 24, 2022, after it was held in abeyance in OGC. The Treasurer, in ADR 1086, is also a Respondent in MUR 7468 (Progressive Priorities PAC), which was discussed at the November 29, 2022, Executive Session. On December 20, 2022, Mr. Tunstall pled guilty to one count of conspiracy to commit wire fraud and faces a maximum penalty of 25 years in prison¹. On January 5, 2023, ADRO sent a memo to the Commissioners' Offices informing them of the transfer.

For the current 2021-2022 election cycle, RAD indicates the Committee continues to accrue audit points for reporting issues, with several reports containing referable issues related to cash-on-hand discrepancies, additional activity on reports, and discrepancies in the reporting of independent expenditures. The Committee disclosed a negative cash-on-hand of (\$267,554.80) on their last report filed, the 2021 Year End Report. Please note, the Committee was the subject of five (5) Administrative Fine matters in which the Committee was assessed civil money penalties totaling \$76,500, for which \$55 in payments have been made. The Committee is also currently the subject of two (2) open Administrative Fine

¹ <https://www.justice.gov/opa/pr/california-man-pleads-guilty-scam-pacs-scheme>

matters in which the Commission has found reason to believe the Committee failed to timely file the 2022 July and October Quarterly Reports.

Considering the foregoing factors and Mr. Tunstall's guilty plea rendering him unable to complete the compliance phase of the ADR process, ADRO is transferring this matter to OGC for appropriate enforcement effective today. If you have any questions or concerns, please contact the ADR Office.

ADRO records now reflect ADR 1086 (AD A21-13) as closed.