



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 23, 2023

Thomas Charles Datwyler, Treasurer
Nehls for Congress
499 South Capitol Street, #407
Washington, DC 20003-4016

**Response Due Date
June 13, 2023**

Re: ADR 1110 (AD A23-05)
Nehls for Congress and Thomas Charles Datwyler, Treasurer (C00730150)

Dear Thomas Charles Datwyler:

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 Commissioners was based on a review of reports filed by Nehls for Congress which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

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 Nehls for Congress and Thomas Charles Datwyler, 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:

The Reports Analysis Division (RAD) referred and the Audit Division transferred Respondents for a series of reporting errors and other FECA violations during the 2021-2022 election cycle. The Committee's errors included, among other items: excessive, prohibited, and other impermissible contributions/transfers; failure to provide

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supporting schedules; failure to properly itemize contributions and transfers to political committees, and other violations of the FECA.

In addition, the Committee was referred for failing to include conduit information, including the date each earmarked contribution was received by the Committee from the conduit, for earmarked contributions totaling \$35,099.27 on the 2022 October Quarterly Report.

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.

This matter has been designated as **ADR 1110**. 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 cursive script that reads "Rosa Marshall".

Rosa Marshall
Assistant Director
Alternative Dispute Resolution Office