



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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**SENSITIVE**

**MEMORANDUM**

December 15, 2009

TO: The Commission

THROUGH: Alec Palmer *AP*  
Acting Staff Director

FROM: John D. Gibson *JDG*  
Chief Compliance Officer

Lynn M. Fraser *LMF*  
Director, ADR Office

SUBJECT: ADR 530 South Dakota Democratic Party and Bill Nibbelink, Treasurer,  
Informational Memo on Assignment

The Reports Analysis Division referred RAD 09L-48 for processing on December 7, 2009, and the ADR Office designated the referral ADR 530. We included a summary and discussion of the referral for your information. We anticipate initiating communication with Respondents in ADR 530 on December 18, 2009. Please contact Lynn Fraser if you have any questions or concerns before then.

**Summary of Case:** The Reports Analysis Division referred the South Dakota Democratic Party and Bill Nibbelink, Treasurer (Respondents or the Committee) for a series of reporting errors and other FECA violations during the 2008 election cycle. A political committee may be referred if, after an internal review of reports filed by the committee, the Commission determines the reports do not meet the threshold requirements for substantial compliance with the FECA. The Committee's errors included, among other things: prohibited or otherwise impermissible contributions or transfers, mathematical discrepancies, a failure to provide supporting schedules, a failure to properly itemize contributions from individuals, Federal Election Activity/Levin Funds issues, and the allocation of Federal and Non-Federal activity.

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