



FEDERAL ELECTION COMMISSION
Washington, DC 20463

September 20, 2012

Marlis L. Carson
National Council of Farmer Cooperatives
50 F. Street NW, Suite 900
Washington, DC 20010

Re: ADR 623 (AR 12-06)
National Council of Farmer Cooperatives CO-OP/PAC and Kelsey Swango, Treasurer

Dear Ms. Carson:

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 Office of General Counsel (OGC) was based on an audit conducted by the Commission which found violations of 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 National Council of Farmer Cooperatives CO-OP/PAC and Kelsey Swango, 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 concludes 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:

OGC the referred National Council of Farmer Cooperatives CO-OP/PAC and Kelsey Swango, Treasurer (Respondents or the Committee) based on a Final Audit Report approved by the Federal Election Commission on July 24, 2012. In that report the Commission found that during 2009 the Committee understated receipts and disbursements by \$10,770 and \$806, respectively, and overstated ending cash by \$6,500. The Commission found that in 2010 the Committee overstated beginning cash by

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\$13,001 and disbursements by \$6,500. In addition, the Commission found that the Committee failed to adequately disclose the occupation and name of employer for 57 percent of its itemized contributions.

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 of receipt 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, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as ADR 623. 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,



Krista J. Roche, Assistant Director
Alternative Dispute Resolution Office
202-694-1661

Enclosures: ADR Frequently Asked Questions
Commitment to Submit Matter to ADR
Designation of Representative/Counsel