



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 10, 2019

Nicholas Hacker, Treasurer
North Dakota Republican Party
1029 N 5th St.
Bismarck, ND 58501

**Response Due Date
May 31, 2019**

Re: ADR 912 (RAD 17L-27)
North Dakota Republican Party and Nicholas Hacker, Treasurer

Dear Nicholas Hacker:

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 Reports Analysis Division which was transferred to this office by the Office of General Counsel upon vote of the Commission was based on a review of reports filed by North Dakota Republican Party 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 North Dakota Republican Party and Nicholas Hacker, 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:

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
1050 FIRST STREET N.E., WASHINGTON, DC 20463
TELEPHONE: 202.694.1661
EMAIL: ADR@FEC.GOV

RAD referred North Dakota Republican Party and Nicholas P. Hacker, Treasurer (Respondents or the Committee) for failing to disclose all financial activity on its 2016 October Monthly Report, originally filed on October 7, 2016. On October 26, 2016, the Committee filed an Amended 2016 October Monthly Report including \$413,719.04 in additional receipts and \$413,719.04 in additional disbursements.

The Committee filed a Form 99 (Miscellaneous Electronic Submission) on June 27, 2017, indicating that the activity was not initially disclosed because the donation information was not received until after the original October Monthly report was filed. The Committee contends that additional procedures have been put in place to prevent this from happening in the future.

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

This matter has been designated as **ADR 912**. 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

Director

Alternative Dispute Resolution Office

Enclosures: ADR Frequently Asked Questions
Commitment to Participate in ADR & Designation of Representative/Counsel