



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 9, 2019

Brian Hickey, Treasurer  
EPEC/International Union of Operating Engineers  
1125 17th St NW  
Washington, DC 20036

**Response Due Date**  
**July 31, 2019**

Re: ADR 918 (RAD 19L-13)  
Engineers Political Education Committee (EPEC)/International Union of Operating Engineers and Brian Hickey, Treasurer

Dear Brian Hickey:

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 was based on a review of reports filed by Engineers Political Education Committee (EPEC)/International Union of Operating Engineers 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 Engineers Political Education Committee (EPEC)/International Union of Operating Engineers and Brian Hickey, 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:

RAD referred Engineers Political Education Committee (EPEC)/International Union of Operating Engineers and Brian E. Hickey, Treasurer (Respondents or the Committee) for failing to disclose all financial activity on its 2018 12 Day Pre-General Report, originally filed on October 25, 2018. On December 3, 2018, the Committee filed an Amended 2018 12 Day Pre-General Report including \$53,153.76 in additional receipts and \$250,000.00 in additional disbursements.

The Committee filed a Form 99 (Miscellaneous Text Submission) on April 16, 2019, stating that the failure to disclose all receipts and disbursements on the original report was due to inadvertent accounting and administrative errors. The Committee states that measures have been taken to improve its internal controls in order to prevent a recurrence of these kinds of errors 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 918**. 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