



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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SENSITIVE

MEMORANDUM

February 3, 2020

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO* for PCO
Chief Compliance Officer

Krista J. Roche *KJR*
Director, ADR Office

Rosa Marshall *RM*
Assistant Director, ADR Office

SUBJECT: Recommendation to Approve Negotiated Settlement
ADR 935 — South Dakota Democratic Party (C00160937)
and Marcia Bunger, Treasurer

RESOLUTION TERMS: Complete training in accordance with the Training Plan
(Exhibit A of the Negotiated Settlement); redevelop and
recertify implementation of a process to track receipt of, and
response to, communications with the Commission; develop
and certify implementation of a compliance operations
manual; and pay a civil penalty of \$7,200.

Attached for your review is a signed ADR Negotiated Settlement pertaining to ADR 935 (RAD 19L-31). The ADR Office received this referral on September 13, 2019.

SUMMARY: The Reports Analysis Division (RAD) referred South Dakota Democratic Party and Marcia Bunger, Treasurer, (Respondents or the Committee) for a series of reporting errors and other FECA violations during the 2017-2018 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 items: excessive, prohibited and other impermissible contributions or

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transfers, mathematical discrepancies, failure to provide supporting schedules, failure to properly itemize disbursements, and allocated federal and non-federal activity.

During negotiations, the Committee filed amended reports to address the 2017-2018 election cycle reporting errors. RAD reviewed the filings and determined that no further corrective action is required.

RECOMMENDATIONS:

1. Approve the attached negotiated settlement of South Dakota Democratic Party and Marcia Bunger, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.