

OGC Referral 19L-12  
 Tom Campbell for North Dakota  
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**19L-12**

**REPORTS ANALYSIS DIVISION REFERRAL**

TO

OFFICE OF GENERAL COUNSEL

DATE: June 17, 2019

ANALYST: Denise Stilla

I. COMMITTEE: Tom Campbell for North Dakota  
 C00653675  
 Tom Campbell, Treasurer (6/12/18 - Present)  
 Paul Kilgore, Treasurer (8/16/17 - 6/11/18)  
 15111 Hwy 17  
 Grafton, ND 58237

II. RELEVANT STATUTE: 11 CFR § 102.9(e)  
 11 CFR §110.1(b)(3)

III. BACKGROUND:

**Failure to Refund or Redesignate General Election Contributions within the Permissible Timeframe after the Candidate's Withdrawal from the Primary Election**

Tom Campbell for North Dakota (“the Committee”) received 2018 General Election contributions from twelve (12) individuals that were not refunded or redesignated within the permissible timeframe from the date Thomas Scott (“Tom”) Campbell (the “Candidate”) withdrew from the 2018 Primary Election. The contributions total \$27,200.00, as disclosed in the 2017 October Quarterly, 2017 Year-End, and 2018 April Quarterly Reports (Attachment 2).<sup>3</sup>

On August 16, 2017, the Candidate filed a Statement of Candidacy (“FEC Form 2”) for the 2018 election for the U.S. Senate in North Dakota (Image 201708220200256126).

On October 13, 2017, the Committee filed the 2017 October Quarterly Report disclosing the receipt of \$18,500.00 in 2018 General Election contributions from seven (7) individuals (Image 201710200200354967, Attachment 2).

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<sup>3</sup> Eleven (11) of these individuals also contributed \$2,700.00 to the 2018 Primary Election.

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On January 31, 2018, the Committee filed the 2017 Year-End Report. The report disclosed the receipt of \$3,000.00 in 2018 General Election contributions from two (2) individuals (Image 201802080200156768, Attachment 2).

On March 5, 2018, the Candidate filed an FEC Form 2 for the 2018 election for the U.S. House of Representatives in North Dakota (Image 201803050300197825).

On April 11, 2018, the Candidate announced he will no longer seek election to the U.S. House of Representatives in North Dakota in 2018.

On April 13, 2018, the Committee filed the 2018 April Quarterly Report, which disclosed the receipt of \$5,700.00 in 2018 General Election contributions from three (3) individuals (Image 201804139108042744, Attachment 2).

On May 4, 2018, the Committee filed an Amended 2017 Year-End Report that disclosed no change to the 2018 General Election contributions (Image 201805090200366189).

On May 9 and 16, 2018, the Committee filed Amended 2018 April Quarterly Reports that disclosed no changes to the 2018 General Election contributions (Images 201805099112003332 and 201805169112056597).

On January 30, 2019, the Committee filed a Termination Report covering the period from April 1, 2018 through December 31, 2018 (Image 201902040300264766).<sup>4</sup> The Termination Report did not disclose any refunds of the 2018 General Election contributions.

On February 25, 2019, the Committee was sent a Request for Additional Information (RFAI) regarding the Committee's unrefunded 2018 General Election contributions totaling \$27,200.00 from twelve (12) individuals (Image 201902250300033938).

On May 2, 2019, the Reports Analysis Division (RAD) Analyst contacted the Candidate to inform him of the outstanding unrefunded 2018 General Election contributions. The Candidate stated that he had not received a copy of the RFAI sent February 25, 2019, and that he had no Committee staff since he withdrew from the 2018 Primary Election. The Candidate requested that the RAD Analyst send a copy of the RFAI to the Committee's email address. The Analyst verified the email address was the same as the Committee's email address of record and emailed a copy of the RFAI (Attachment 3).

On May 6, 2019, the Candidate called the RAD Analyst. The Candidate stated that he had reviewed the RFAI and was going to refund the \$27,200.00 in General Election contributions using his personal funds to the twelve (12) individuals listed in the RFAI.

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<sup>4</sup> The Committee was previously sent Non-Filer Notices for failure to file the 2018 July Quarterly and 2018 October Quarterly Reports (Images 201807310300015070 and 201810310300023295).

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The Candidate stated he would send the Analyst a statement confirming the refunds were made (Attachment 3).

On May 12, 2019, the Candidate contacted the RAD Analyst via email to inform her that he had refunded all twelve (12) contributions. The Candidate stated that he would send a signed copy of a letter confirming the refunds on May 13, 2019, when he was in the office (Attachment 3).

On May 13, 2019, Mr. Garret Koble, an associate of the Candidate's, emailed the RAD Analyst a copy of the Candidate's signed letter stating he had sent refunds to the twelve (12) individuals for the 2018 General Election contributions. In the letter, dated May 12, 2019, the Candidate stated, in part: "I didn't know I violated any campaign law but do realize that I am responsible for my staff which has not been with me for over a year" (Image 201905140300277654, Attachment 3).

On May 15, 2019, the RAD Analyst called the Candidate to acknowledge the refunds of the 2018 General Election contributions totaling \$27,200.00. The Analyst informed the Candidate that this matter may be forwarded to another Commission office for further Commission action (Attachment 3).

To date, no further communications have been received from the Committee regarding this matter.

O-Index (2019-2020)																
Cmte. Type: H (HOUSE)				Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE)				Filing Frequency: QUARTERLY FILER								
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans	
MS-T			5/13/2019	2	201905140300277654				-	-	-	-	-	-	-	
MS-T			5/28/2019	3	201905280300278457				-	-	-	-	-	-	-	
RQ7	Q1		4/30/2019	2	201905010300038974	1/1/2019	3/31/2019	4/30/2019	-	-	-	-	-	-	-	
<b>Totals</b>										<b>\$0</b>	<b>\$0</b>					

O-Index (2017-2018)																
Cmte. Type: H (HOUSE)				Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE)				Filing Frequency: QUARTERLY FILER								
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans	
MS-T			12/28/2017	4	201712280200431883	7/1/2017	9/30/2017		-	-	-	-	-	-	-	
MS-T			11/16/2018	3	201811160300247507				-	-	-	-	-	-	-	
RQ2	Q3	N	11/14/2017	3	201711140300095055	7/1/2017	9/30/2017	11/14/2017	-	-	-	-	-	-	-	
RQ2	YE	N	4/1/2018	2	201804010300001732	10/1/2017	12/31/2017	4/1/2018	-	-	-	-	-	-	-	
RQ7	Q2		7/31/2018	2	201807310300015070	4/1/2018	6/30/2018	7/31/2018	-	-	-	-	-	-	-	
RQ7	Q3		10/31/2018	2	201810310300023295	7/1/2018	9/30/2018	10/31/2018	-	-	-	-	-	-	-	
RQ2	TER	N	2/25/2019	3	201902250300033938	4/1/2018	12/31/2018	2/25/2019	-	-	-	-	-	-	-	
F3	Q3	N	10/13/2017	54	201710200200354967	7/1/2017	9/30/2017		\$0	\$571,147	\$399,932	\$171,214	-	\$425,000	\$425,000	
F3	YE	N	1/31/2018	80	201802080200156768	10/1/2017	12/31/2017		\$171,214	\$449,873	\$299,349	\$321,738	-	\$745,000	\$745,000	
F3	YE	A	5/4/2018	80	201805090200366189	10/1/2017	12/31/2017		\$171,214	\$449,873	\$299,349	\$321,738	-	\$1,490,000	\$1,065,000	
F3N	Q1	N	4/13/2018	95	201804139108402744	1/1/2018	3/31/2018		\$321,738	\$180,129	\$328,261	\$173,606	-	\$745,000	\$745,000	
F3A	Q1	A	5/9/2018	96	201805099112003332	1/1/2018	3/31/2018		\$321,738	\$180,039	\$324,395	\$177,382	-	\$745,000	\$745,000	
F3A	Q1	A	5/16/2018	96	201805169112056597	1/1/2018	3/31/2018		\$321,738	\$180,039	\$324,395	\$177,382	-	\$745,000	\$745,000	
F3	TER	N	1/30/2019	13	201902040300264766	4/1/2018	12/31/2018		\$177,382	\$80	\$177,382	\$0	-	\$0	\$0	
F2		N	3/5/2018	3	201803050300197825				-	-	-	-	-	-	-	
F2		N	8/16/2017	4	201708220200256126				-	-	-	-	-	-	-	
F1		N	8/16/2017	7	201708220200256162				-	-	-	-	-	-	-	
F1		A	2/23/2018	6	201802270300197446				-	-	-	-	-	-	-	
F1A		A	6/12/2018	4	201806129113661110				-	-	-	-	-	-	-	
<b>Totals</b>										<b>\$1,201,139</b>	<b>\$1,201,058</b>					

O-Index (2015-2016)																
Cmte. Type: H (HOUSE)				Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE)				Filing Frequency: QUARTERLY FILER								
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans	
No records were found for this cycle.																

**Tom Campbell for North Dakota (C00653675)**

Apparent 2018 General Election Contributions Refunded Outside Permissible Timeframes, Listed by Contributor

Name	Date	Contribution Amount	Amount Not Refunded within Timeframe	Refunded # Days since Withdrawal from Race
CAMPBELL, STEPHANIE	9/7/2017	\$2,700.00	\$2,700.00	396
CAMPBELL, THOMAS S.	9/7/2017	\$2,700.00	\$2,700.00	396
CORWIN, NAN	1/28/2018	\$2,700.00	\$2,700.00	396
EMERSON, PAUL	11/30/2017	\$300.00	\$300.00	396
GONSOROWSKI, GLEN	9/28/2017	\$2,700.00	\$2,700.00	396
GRAMM, PHIL	2/12/2018	\$2,700.00	\$2,700.00	396
JORDAHL, RICHARD R.	9/14/2017	\$2,700.00	\$2,700.00	396
JORDE, MITCH	12/1/2017	\$2,700.00	\$2,700.00	396
MIKKELSON, DAN	9/22/2017	\$2,700.00	\$2,700.00	396
PELTIER, KEITH	9/28/2017	\$2,300.00	\$2,300.00	396
SPROULE, PAUL D.	1/14/2018	\$300.00	\$300.00	396
TWEETEN, CRAIG	8/29/2017	\$2,700.00	\$2,700.00	396
<b>Total Amount Not Refunded and/or Refunded Outside Permissible Timeframes:</b>				<b>\$27,200.00</b>