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By Office of the Commission Secretary at 9:43 am, Jul 21, 2021

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463**SENSITIVE****MEMORANDUM**

July 21, 2021

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

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

Krista J. Roche *KJR*  
Director, ADR Office

Joshua A. Rebollozo *JAR*  
Assistant Director, ADR Office

SUBJECT: Recommendation to Approve Negotiated Settlement  
ADR 1009 - LIUNA Minnesota & North Dakota/Laborers'  
District Council of Minnesota & North Dakota and Joel A.  
Smith, Treasurer (C00684332)

RESOLUTION TERMS: Retain an outside consultant to review its compliance  
procedures and conduct an on-site training; develop and  
certify the implementation of an internal policy document  
detailing procedures to ensure timely and accurate reporting  
of independent expenditures; and pay a civil penalty of  
\$4,300.

Attached for your review is a signed Negotiated Settlement pertaining to ADR 1009 (RAD 21L-15). The ADR Office received this referral on April 22, 2021.

**SUMMARY:** The Reports Analysis Division (RAD) referred LIUNA Minnesota & North Dakota/Laborers' District Council of Minnesota & North Dakota and Joel A. Smith, Treasurer (Respondents or the Committee) for failing to timely file one (1) 48-Hour Report totaling \$77,993.14 to support four (4) independent expenditures disclosed on the 2020 12-Day Pre-General Report.

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Negotiated Settlement  
ADR 1009 (RAD 21L-15)  
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On January 14, 2021, the Committee filed a Form 99 (Miscellaneous Electronic Submission) stating that it inadvertently failed to file the 48-Hour Reports because it was unaware of independent expenditure reporting requirements. During negotiations, the Committee noted that two staff members recently participated in an FEC training, which included the reporting of independent expenditures, as required by the Negotiated Settlement of ADR 919. The Committee timely filed all other reports and states that all contributions and expenditures were disclosed in the 2019-2020 election cycle.

**RECOMMENDATIONS:**

1. Approve the attached Negotiated Settlement of LIUNA Minnesota & North Dakota/Laborers' District Council of Minnesota & North Dakota and Joel A. Smith, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.