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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE**MEMORANDUM**

July 31, 2023

TO: The Commission

THROUGH: Alec Palmer AP by *KAH*
Staff Director

FROM: Patricia C. Orrock *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 1102 - Jim Risch for U.S. Senate Committee and
R. John Insinger, Esq., Treasurer (C00440362)

RESOLUTION TERMS: Develop and certify implementation of a policy document detailing the Committee's process to ensure receipts are timely reviewed; certify that a representative of the Committee participated in an FEC training; and pay a \$4,325 civil penalty.

Attached for your review is a signed Negotiated Settlement pertaining to ADR 1102 (AD A21-06). The ADR Office received this referral from the Audit Division on March 14, 2023.

SUMMARY: The Audit Division referred Jim Risch for U.S. Senate Committee and R. John Insinger, Treasurer (Respondents or the Committee) for one (1) finding detailed in the Final Audit Report of the Commission, as approved on March 1, 2023. The finding details excessive contributions received from individuals, totaling \$58,000, in the 2019-2020 election cycle. The Committee materially resolved the excessive contributions, albeit untimely.

Respondents untimely resolved excessive contributions of \$53,000 by sending presumptive letters in response to the audit. In addition, Respondents provided the Audit Division with supporting documentation of disgorgements to the U.S. Treasury, resolving the remaining excessive contributions totaling \$5,000, albeit untimely. During negotiations, Respondents maintained that their willingness to agree to this settlement was purely aimed at resolving the raised issues, and not to be interpreted as an admission of fault.

RECOMMENDATIONS:

1. Approve the attached Negotiated Settlement of Jim Risch for U.S. Senate Committee and R. John Insinger, Esq., Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.