



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

MEMORANDUM

November 21, 2019

TO: The Commission

THROUGH: Alec Palmer *AP by HAT*
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 919 — LIUNA Minnesota & North Dakota/
Laborers' District Council of Minnesota & North Dakota
and Tim Mackey, Treasurer (C00684332)

RESOLUTION TERMS: Certify that a representative participates in an FEC training
program and pay a civil penalty of \$9,950.00.

Attached for your review is a signed Negotiated Settlement pertaining to ADR 919 (RAD 19L-15). The ADR Office received this referral on July 2, 2019.

SUMMARY: The Reports Analysis Division (RAD) referred LIUNA Minnesota & North Dakota/Laborers' District Council of Minnesota & North Dakota and Tim Mackey, Treasurer (Respondents or the Committee) for failing to disclose all financial activity on its 2018 October Quarterly Report, originally filed on October 15, 2018. On November 19, 2018, the Committee filed an Amended 2018 October Quarterly Report including \$300,037.07 in additional receipts and \$180,059.47 in additional disbursements.

Respondents state that they utilized a single bank account for both state and federal expenditures and reported all contributions and expenditures (both state and federal) on the reports filed with the Minnesota Campaign Finance

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Board. Additionally, respondents state that they recently changed the staff responsible for preparing FEC reports and that, due to a misunderstanding, the original report filed with the Commission inadvertently failed to include any receipts and only included the federal expenditures issued from the bank account. Once RAD brought the issue to the Committee's attention with a Request for Additional Information, Respondents amended the report to provide all receipts and disbursements, which included state expenditures. During negotiations, Respondents acknowledged that disclosure of the activity with the Minnesota Campaign Finance Board does not negate the Committee's responsibility to disclose all contributions and expenditures on their FEC reports.

RECOMMENDATIONS:

1. Approve the attached negotiated settlement of LIUNA Minnesota & North Dakota/Laborers' District Council of Minnesota & North Dakota and Tim Mackey, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.