



FEDERAL ELECTION COMMISSION
Washington, DC 20463

July 30, 2020

Via E-mail

ssstone@hwb-law.com

tmckeever@hwb-law.com

Timothy A. McKeever, Esq.
Stacey Stone, Esq.
Holmes, Weddle & Barcott PC
701 West 8th Avenue, Suite 700
Anchorage, AK 99501-4657

RE: MURs 7190 & 7208
Alaska Republican Party and its Treasurer
Tuckerman Babock
Rick Whitbeck

Dear Mr. McKeever and Ms. Stone:

On July 13, 2020, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of your client, Alaska Republican Party and its treasurer, in settlement of a violation of 52 U.S.C. § 30120(a)(2), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 11 C.F.R. § 110.11(d)(2). Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Dominique Dillenseger
Dominique Dillenseger
Attorney

Enclosure
Conciliation Agreement

FEDERAL COUNSEL

2019 SEP 30 PM 1:40

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 7208
 Alaska Republican Party and Donald Handeland)
 in his official capacity as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a complaint filed with the Federal Election Commission ("Commission"). The Commission found reason to believe that Alaska Republican Party and Donald Handeland in his official capacity as treasurer (the "Alaska Republican Party" or "Respondent") violated 52 U.S.C. § 30120(a)(2) and 11 C.F.R. § 110.11(d)(2).

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).
 - II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
 - III. Respondent enters voluntarily into this agreement with the Commission.
 - IV. The pertinent facts in this matter are as follows:
 1. Alaska Republican Party is a state party committee registered with the Commission.
 2. Donald Handeland is the current treasurer of Alaska Republican Party.
- Mr. Handeland was not the treasurer at the time of the activity described herein. He is named in

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this matter only in his official capacity as treasurer pursuant to the Commission's policy statement on treasurer liability.

3. All public communications, as defined in 11 C.F.R. § 100.26, made by a political committee must include a disclaimer. 52 U.S.C. § 30120(a); 11 C.F.R. § 110.11(a)(1). A public communication includes a "mass mailing," which is defined as a mailing by U.S. mail of more than 500 pieces of mail of an identical or substantially similar nature within any 30-day period. 52 U.S.C. §§ 30101(22), (23); 11 C.F.R. §§ 100.26 and 100.27. The disclaimer for a communication authorized by a candidate or candidate's committee, but paid for by any other person, must state both who paid for the communication, and that it was authorized by such candidate, authorized committee or agent. 52 U.S.C. § 30120(a)(2), 11 C.F.R. § 110.11(b)(2).

4. Political party committees may make coordinated party expenditures in connection with the general election campaign of a candidate for Federal office. 52 U.S.C. § 30116(d)(1). The disclaimer notice for a communication treated as a coordinated party expenditure, and that was made with the approval of the party's general election candidate, that candidate's committee, or agent of either, must identify the political party that paid for the communication and state that the communication is authorized by the candidate or the candidate's authorized committee. 11 C.F.R. § 110.11(d)(2).

5. The Respondent's 2016 Post-General Report shows that Alaska Republican Party made disbursements totaling \$56,111.60 in coordinated party expenditures for four mailers in support of U.S. Senator Lisa Murkowski, who was the Republican candidate in the general election for U.S. Senate in Alaska in 2016. The mailers were mailed on October 21, 24, 26, and 31, 2016, to over 33,000 households in Alaska. The coordinated mailers contained a

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disclaimer stating "Paid for by the Alaska Republican Party" but failed to state that Senator Murkowski or Lisa Murkowski for U.S. Senate, her principal campaign committee, authorized the communications.

V. Respondent violated 52 U.S.C. § 30120(a)(2) and 11 C.F.R. § 110.11(d)(2) by failing to include in the coordinated mailer disclaimer a statement that the communications were authorized by a candidate or an authorized committee.

VI. Respondent will cease and desist from violating 52 U.S.C. § 30120(a)(2) and 11 C.F.R. § 110.11(d)(2).

VII. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Four Thousand Two Hundred dollars (\$4,200.00), pursuant to 52 U.S.C. § 30109(a)(5)(A).

VIII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lisa J. Stevenson
Acting General Counsel

BY: Charles Kitcher
Charles Kitcher
Acting Associate General
Counsel for Enforcement

7/27/20
Date

FOR THE RESPONDENT:

Stacey C. Stone
(Name) STACEY C. STONE
(Position) ATTORNEY IN FACT
ALASKA REPUBLICAN PARTY

9/23/19
Date