



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Matthew T. Sanderson, Esq.  
Caplin & Drysdale, Chartered  
One Thomas Circle, NW  
Suite 1100  
Washington, DC 20005  
msanderson@capdale.com

DEC -7 2017

RE: MUR 7235  
Utah Republican Party and Abram  
Young in his official capacity as  
treasurer

Dear Mr. Sanderson:

On December 5, 2017, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your clients' behalf in settlement of violations of 52 U.S.C. §§ 30116(f), 30118(a), and 30104(b)(8) of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 106.7(d). 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 first installment of 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) 694-1628.

Sincerely,

A handwritten signature in black ink, appearing to read "N. Bamman".

Nicholas I. Bamman  
Attorney

Enclosure  
Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 ) MUR 7235  
Utah Republican Party )  
and Abram Young in his official capacity )  
as treasurer )  
 )

**CONCILIATION AGREEMENT**

This Matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Based on a Commission audit of the Utah Republican Party for the time period of 2011-12 and other information obtained by the Commission of the Committee's activity during 2013-14, the Commission found reason to believe that the Utah Republican Party and Abram Young in his official capacity as treasurer ("Respondents" or "Committee") violated 52 U.S.C. §§ 30116(f), 30118(a), and 30104(b)(8) and 11 C.F.R. § 106.7(d)(1).

NOW, THEREFORE, the Commission and the Respondents, 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 Respondents 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. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Committee is a State party committee of the Republican Party.
2. Abram Young is the Treasurer of the Committee.
3. Corporations are prohibited from contributing to federal political committees (other than independent-expenditure-only committees and hybrid committees), and political committees may not knowingly accept prohibited corporate contributions. 52 U.S.C. § 30118(a).
4. The contribution limit to State party committees is \$10,000 per year. 52 U.S.C. § 30116(a)(1)(D); 11 C.F.R. § 110.1(c)(5).
5. No committee may knowingly accept more than the contribution limit. 52 U.S.C. § 30116(f); 11 C.F.R. § 110.9.
6. Commission regulations provide that State, district, and local party committees must maintain monthly employee payroll logs. Salaries, wages, and fringe benefits “[paid] to State, district, or local party committee employees who spend 25 percent or less of their compensated time in a given month on Federal election activity or on activity in connection with a Federal election” may be allocated as administrative costs; *i.e.*, may be paid with a combination of funds from the committee’s federal and non-federal accounts. 11 C.F.R. §§ 106.7(c)(1), (d)(1)(i), (d)(2). Commission regulations also provide that when allocating salary, wage, and fringe benefit payments, political party committees are required to “keep a monthly log of the percentage of time each employee spends in connection with a Federal election.” 11 C.F.R. § 106.7(d)(1).

1204141401

7. Political committees must disclose the amount and nature of outstanding debts and obligations until those debts are extinguished. 52 U.S.C. § 30104(b)(8); 11 C.F.R. §§ 104.3(d), 104.11(a).

8. Debts of \$500 or less must be reported no later than 60 days after the obligation is incurred, while debts of more than \$500 must be reported as of the date the obligation is incurred. 11 C.F.R. § 104.11(b).

9. As set forth in the Final Audit Report, the Commission found that during the 2011-12 election cycle, the Committee knowingly accepted prohibited corporate contributions in the amount of \$23,600, knowingly accepted excessive contributions in the amount of \$42,925, failed to maintain monthly payroll logs totaling \$270,738, and failed to disclose debts and obligations to five vendors and one staff member totaling \$205,323.

10. The Committee knowingly accepted \$6,000 in prohibited corporate contributions and \$10,000 in excessive contributions during the 2013-2014 election cycle.

V. 1. The Committee knowingly accepted corporate contributions in violation of 52 U.S.C. § 30118(a).

2. The Committee knowingly accepted excessive contributions in violation of 52 U.S.C. § 30116(f).

3. The Committee failed to maintain monthly employee payroll logs in violation of 11 C.F.R. § 106.7(d)(1).

4. The Committee failed to report debts and obligations in violation of 52 U.S.C. § 30104(b)(8).

VI. In full settlement of this Matter, the Committee will take the following actions:

1. The Committee will pay a civil penalty to the Federal Election Commission in the amount of Seventeen Thousand Five Hundred Dollars (\$17,500) pursuant to 52 U.S.C. § 30109(a)(5)(A). The civil penalty will be paid as follows:

- a. A payment of Ten Thousand Dollars (\$10,000) is due no more than thirty (30) days from the date this Agreement becomes effective;
- b. A payment of Four Thousand Five Hundred Dollars (\$4,500) is due no more than sixty (60) days from the date this Agreement becomes effective;
- c. A payment of Three Thousand Dollars (\$3,000) is due no more than ninety (90) days from the date this Agreement becomes effective;
- d. In the event that any payment is not received by the Commission by the fifth day after which it becomes due, the Commission may, at its discretion, accelerate the remaining payments and cause the entire amount to become due upon ten days written notice to the Respondents. Failure by the Commission to accelerate the payments with regard to any overdue payment shall not be construed as a waiver of its right to do so with regard to future overdue payments.

2. Respondents will amend the relevant disclosure reports to accurately reflect debts and obligations as set forth in the Final Audit Report.

3. Respondents will cease and desist from committing violations of 52 U.S.C. §§ 30116(f), 30118(a), and 30104(b) and 11 C.F.R. § 106.7(d)(1).

VII. 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.

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

IX. Respondents shall have no more than 90 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. The Commission will take no further action against the Committee in connection with the activity described at Paragraphs IV.9 and IV.10 of this Conciliation Agreement provided that the Committee fully complies with the terms of this Conciliation Agreement.

X. 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: Kathleen M. Guith  
Kathleen M. Guith  
Associate General Counsel  
For Enforcement

12/7/17  
Date

FOR THE RESPONDENTS:

Rob Anderson  
(Name)  
(Position) Chairman

11/7/17  
Date

UNRECORDED