



FEDERAL ELECTION COMMISSION
Washington, DC 20463

October 31, 2022

VIA EMAIL

mtoner@wiley.law

bzehr@wiley.law

Michael E. Toner, Esq.
Brandis L. Zehr, Esq.
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

RE: MUR 8031
Hawaii Republican Party and
Stephen C. Holck in his official
capacity of treasurer

Dear Mr. Toner and Ms. Zehr:

On October 19, 2022, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 52 U.S.C. § 30104(b)(2) and (4), and 11 C.F.R. §§ 102.17(c) and 104.3(a) and (b). Accordingly, the file has been closed in this matter.

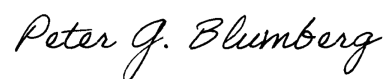
Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent 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. Payment can be made by check payable to the Federal Election Commission and mailed to the Federal Election Commission, 1050 First Street NE, Washington DC 20463. Please write "MUR 8031 civil penalty" on the memo line of the check. Alternatively, payment can be made

MUR 8031 (Hawaii Republican Party)
Page 2

online by using this link: <https://www.pay.gov/public/form/start/316805379>. If you have any questions, please contact me at (202) 694-1617 or pblumberg@fec.gov.

Sincerely,

A handwritten signature in cursive script that reads "Peter G. Blumberg".

Peter G. Blumberg
Assistant General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)	
)	MUR 8031
Hawaii Republican Party and)	
Stephen C. Holck in his official)	
capacity as treasurer)	
)	

CONCILIATION AGREEMENT

This matter was initiated pursuant to information ascertained by the Federal Election Commission in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Hawaii Republican Party and Stephen C. Holck in his official capacity as treasurer ("Respondent" or "Committee") violated 52 U.S.C. § 30104(b)(2) and (4) of the Federal Election Campaign Act of 1971, as amended (the "Act"), and 11 C.F.R. §§ 102.17(c), 104.3(a) and (b).

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 into 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 and law in this matter are as follows:

1. The Committee is a state party committee of the Republican party.

Stephen C. Holck is the treasurer of the Committee.

2. The Act requires committee treasurers to file accurate reports of receipts and disbursements. 52 U.S.C. § 30104(b); *see also* 11 C.F.R. § 104.3.

3. These reports must include, *inter alia*, the total amount of receipts and disbursements, and appropriate itemizations, where required. *See* 52 U.S.C. § 30104(b)(2), (4); 11 C.F.R. § 104.3(a), (b).

4. The Act requires committee treasurers to itemize any contribution from an individual if the contribution exceeds \$200 per calendar year either by itself or when aggregated with other contributions from the same contributor. 52 U.S.C. § 30104(b)(3)(A).

5. Each participating committee in a joint fundraising committee must report its share received as a transfer-in from the joint fundraising committee's fundraising representative and file a memo Schedule A itemizing its share of gross fundraising receipts as contributions from the original contributors to the extent required by 11 C.F.R. § 104.3(a). 11 C.F.R. § 102.17(c)(8)(i)(B).

6. On December 3, 2020, the Committee filed its 2020 30-Day Post-General Report covering the period from October 15, 2020, through November 23, 2020. The report disclosed \$51,250.00 in receipts on Line 12 (Transfers from Affiliated/Other Party Committees) of the Detailed Summary Page. The report also disclosed \$0.00 in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees) of the Detailed Summary Page.

7. On January 30, 2021, the Committee filed its 2020 Year-End Report covering the period from November 24, 2020, through December 31, 2020. The Report

disclosed \$0.00 on Line 12 of the Detailed Summary Page. The report also disclosed \$0.00 on Line 22 of the Detailed Summary Page.

8. On February 28, 2021, the Committee filed an Amended 2020 30-Day Post-General Report. The report disclosed \$1,631,068.99 in receipts on Line 12 of the Detailed Summary Page and \$1,579,818.99 in disbursements on Line 22 of the Detailed Summary Page.

9. On February 28, 2021, the Committee also filed an Amended 2020 Year-End Report. The report disclosed \$116,490.15 on Line 12 of the Detailed Summary Page and \$116,490.15 in disbursements on Line 22 of the Detailed Summary Page.

10. The Committee failed to accurately disclose an aggregate total of \$3,159,637.98 in additional receipts and disbursements in its original 2020 30-Day Post-General Report.

11. The Committee failed to accurately disclose an aggregate total of \$232,980.3 in additional receipts and disbursements in its original 2020 Year-End Report.

12. The Committee contends that after it realized its original reports inadvertently omitted the financial activity at issue, it acted on its own accord to amend the reports.

V. Respondent violated 52 U.S.C. § 30104(b)(2) and (4) and 11 C.F.R. §§ 102.17(c), 104.3(a) and (b) by failing to accurately disclose receipts and disbursements during the 2020 election cycle.

VI. Respondent will take the following actions:

1. Respondent will pay a civil penalty to the Commission in the amount of Sixty Thousand Dollars (\$60,000), pursuant to 52 U.S.C. § 30109(a)(5)(A).

MUR 8031 (Hawaii Republican Party)
Conciliation Agreement
Page 4 of 5

2. Respondent will cease and desist from committing violations of 52 U.S.C. § 30104(b)(2) and (4) and 11 C.F.R. §§ 102.17(c), 104.3(a) and (b).

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. 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.

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 within this written agreement shall be enforceable.

FOR THE COMMISSION:

Lisa J. Stevenson
Acting General Counsel

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

Digitally signed by
Charles Kitcher
Date: 2022.10.31
11:01:02 -04'00'

10/31/22
Date

MUR 8031 (Hawaii Republican Party)
Conciliation Agreement
Page 5 of 5

FOR THE RESPONDENT:

Brandis L Zehr
Michael E. Toner
Brandis L. Zehr
Counsel for the Respondents

Date 9/26/2022