



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

**VIA ELECTRONIC MAIL**

Michael E. Toner, Esq.  
Brandis L. Zehr, Esq.  
Wiley Rein LLP  
1776 K St. NW  
Washington, DC 20006  
[mtoner@wiley.law](mailto:mtoner@wiley.law)  
[bzehr@wiley.law](mailto:bzehr@wiley.law)

September 2, 2022

RE: MUR 8061 (RR 21L-67)  
 Republican Party of Minnesota —  
 Federal and Lee Prinkkila in his  
 official capacity as treasurer

Dear Mr. Toner and Ms. Zehr:

In the normal course of carrying out its supervisory responsibilities, the Federal Election Commission became aware of information suggesting your client, Republican Party of Minnesota — Federal and Lee Prinkkila in his official capacity as treasurer (the “Committee”), may have violated the Federal Election Campaign Act of 1971, as amended (the “Act”). On August 30, 2022, the Commission found reason to believe that your client violated 52 U.S.C. § 30104(b)(2) and (4) and 11 C.F.R. § 104.3(a) and (b) by failing to timely and accurately report receipts and disbursements and 52 U.S.C. § 30116(f) and 11 C.F.R. § 110.9 by accepting excessive contributions. The Factual and Legal Analysis, which formed a basis for the Commission’s findings, is enclosed for your information.

In order to expedite the resolution of this matter, the Commission authorized the Office of General Counsel to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Pre-probable cause conciliation is not mandated by the Act or the Commission’s regulations, but is a voluntary step in the enforcement process that the Commission is offering to your client as a way to resolve this matter at an early stage and without the need for briefing the issue of whether or not the Commission should find probable cause to believe that your client violated the law.

MUR 8061 (Republican Party of Minnesota — Federal)

Michael E. Toner, Esq & Brandis L. Zehr, Esq.

Page 2

If your client agrees with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. If your client is interested in engaging in pre-probable cause conciliation negotiations, please contact Thaddeus H. Ewald, the attorney assigned to this matter, at (202) 694-1572 or [tewald@fec.gov](mailto:tewald@fec.gov) within seven days of receipt of this letter.

During conciliation, your client may submit any factual or legal materials that it believes are relevant to the resolution of this matter. Because the Commission only enters into pre-probable cause conciliation in matters that it believes have a reasonable opportunity for settlement, we may proceed to the next step in the enforcement process if a mutually acceptable conciliation agreement cannot be reached within 60 days. *See* 52 U.S.C. § 30109(a), 11 C.F.R. Part 111 (Subpart A). Please note that once the Commission enters the next step in the enforcement process, it may decline to engage in further settlement discussions until after making a probable cause finding.

Pre-probable cause conciliation, extensions of time, and other enforcement procedures and options are discussed more comprehensively in the Commission’s “Guidebook for Complainants and Respondents on the FEC Enforcement Process,” which is available on the Commission’s website at [https://www.fec.gov/resources/cms-content/documents/respondent\\_guide.pdf](https://www.fec.gov/resources/cms-content/documents/respondent_guide.pdf). This matter will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) unless you notify the Commission in writing that your client wishes the matter to be made public.

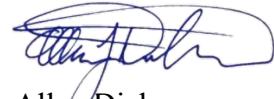
MUR 8061 (Republican Party of Minnesota — Federal)

Michael E. Toner, Esq & Brandis L. Zehr, Esq.

Page 3

We look forward to your response.

On behalf of the Commission,



Allen Dickerson  
Chairman

Enclosures:

Factual and Legal Analysis

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Republican Party of Minnesota — Federal  
and Lee Prinkkila in his official capacity  
as treasurer

MUR 8061

## I. INTRODUCTION

7 The Reports Analysis Division (“RAD”) referred the Republican Party of Minnesota —  
8 Federal and Lee Prinkkila in his official capacity as treasurer (the “Committee”)<sup>1</sup> to the Office of  
9 General Counsel (“OGC”) for potential violations of the Federal Election Campaign Act of 1971,  
10 as amended (the “Act”), and Commission regulations, arising from its failure to timely and  
11 accurately disclose \$1,141,171.06 in aggregate receipts and disbursements on its 2020 12-Day  
12 Pre-General Report and \$698,253.00 in aggregate receipts and disbursements on its 2020 30-Day  
13 Post-General Report.<sup>2</sup> In addition, RAD referred the Committee for potential violations arising  
14 from its receipt of excessive contributions totaling \$58,911.03 from 11 individuals reported on  
15 its 2020 October Monthly, 2020 12-Day Pre-General, and 2020 30-Day Post-General Reports  
16 that were not refunded within the permissible timeframe.<sup>3</sup>

17 For the reasons set forth below, the Commission finds reason to believe that the  
18 Committee violated 52 U.S.C. § 30104(b)(2) and (4) and 11 C.F.R. § 104.3(a) and (b) by failing

<sup>1</sup> The Committee's treasurer at the time of the activity relevant to this matter was Bron Scherer. Republican Party of Minnesota — Federal, Amended Statement of Organization at 3 (Oct. 27, 2020), <https://docquery.fec.gov/pdf/197/202010279336627197/202010279336627197.pdf>. Lee Prinkkila became the Committee's current treasurer on October 14, 2021. Republican Party of Minnesota — Federal, Amended Statement of Organization at 3 (Oct. 14, 2021) [hereinafter Amended Statement of Organization], <https://docquery.fec.gov/pdf/539/202110149467253539/202110149467253539.pdf>. The Committee is currently also the subject of an Audit Referral from the 2017-2018 election cycle. See Referral (Feb. 11, 2022), AR 22-01 (Republican Party of Minnesota — Federal).

<sup>2</sup> Referral at 1-3 (Nov. 18, 2021).

3 *Id.* at 3-6.

MUR 8061 (Republican Party of Minnesota — Federal)

Factual and Legal Analysis

Page 2 of 10

1 to timely and accurately report receipts and disbursements and 52 U.S.C. § 30116(f) and  
 2 11 C.F.R. § 110.9 by accepting excessive contributions.

3 **II. FACTUAL BACKGROUND**

4 The Committee is a state party committee of the Republican Party and Lee Prinkkila is  
 5 the Committee's current treasurer.<sup>4</sup> The Committee's cash on hand as of May 31, 2022, is  
 6 \$194,323.07.<sup>5</sup> Trump Victory is a joint fundraising committee that, at the relevant time, was  
 7 collecting contributions for Donald J. Trump for President, Inc., the Republican National  
 8 Committee (the "RNC"), and 46 Republican state party committees, including the Committee.<sup>6</sup>

9 **A. Failure to Timely and Accurately Disclose Financial Activity**

10 RAD referred this matter to OGC for the Committee's failure to timely and accurately  
 11 disclose receipts and disbursements on its 2020 12-Day Pre-General and 2020 30-Day Post-  
 12 General Reports.<sup>7</sup> The Committee filed its original 2020 12-Day Pre-General Report on  
 13 October 22, 2020, on which it disclosed \$31,039.01 in receipts identified as Transfers from  
 14 Affiliated/Other Party Committees on Line 12 and \$242,908.36 in disbursements identified as  
 15 Other Federal Operating Expenditures on Line 21(b).<sup>8</sup> On March 1, 2021, the Committee filed  
 16 an Amended 2020 12-Day Pre-General Report, on which it disclosed \$601,624.54 in receipts on

---

<sup>4</sup> Amended Statement of Organization at 2; Resp. at 1 (Jan. 18, 2022).

<sup>5</sup> Republican Party of Minnesota — Federal, 2022 June Monthly Report at 2 (June 20, 2022) [hereinafter 2022 June Monthly Report], <https://docquery.fec.gov/pdf/651/202206209515128651/202206209515128651.pdf>.

<sup>6</sup> Trump Victory, Amended Statement of Organization at 2, 9 (Sept. 23, 2020), <https://docquery.fec.gov/pdf/840/202009239284716840/202009239284716840.pdf>; *see also* Resp. at 1-2 ("Trump Victory . . . was a joint fundraising committee comprised of Donald J. Trump for President, the Republican National Committee . . . , and numerous other state political party committees.").

<sup>7</sup> Referral at 1-3.

<sup>8</sup> Republican Party of Minnesota — Federal, 2020 12-Day Pre-General Report at 3-4 (Oct. 22, 2020) [hereinafter Original 2020 12-Day Pre-General Report], <https://docquery.fec.gov/pdf/365/202010229333111365/202010229333111365.pdf>; *see* Referral at 2.

MUR 8061 (Republican Party of Minnesota — Federal)

Factual and Legal Analysis

Page 3 of 10

1 Line 12 and \$813,493.89 in disbursements on Line 21(b).<sup>9</sup> This amendment reflects an  
 2 aggregate increase of \$1,141,171.06 in activity on the 2020 12-Day Pre-General Report that  
 3 corresponds to one additional receipt from Trump Victory, and one additional disbursement to  
 4 the RNC, each in the amount of \$570,585.53 on October 7, 2020.<sup>10</sup>

5 The Committee filed its original 2020 30-Day Post-General Report on December 3, 2020,  
 6 on which it disclosed \$46,108.84 in receipts identified as Transfers from Affiliated/Other Party  
 7 Committees on Line 12 and \$544,109.76 in disbursements identified as Other Federal Operating  
 8 Expenditures on Line 21(b).<sup>11</sup> On March 2 and 15, 2021, the Committee filed amendments to its  
 9 2020 30-Day Post-General Report, on which it ultimately disclosed \$395,235.34 in receipts on  
 10 Line 12 and \$893,236.26 in disbursements on Line 21(b).<sup>12</sup> These amendments reflect an  
 11 aggregate increase of \$698,253.00 in activity on the 2020 30-Day Post-General Report that  
 12 corresponds to five additional receipts from Trump Victory totaling \$349,126.50, and five  
 13 additional disbursements to the RNC totaling \$349,126.50.<sup>13</sup>

---

<sup>9</sup> Republican Party of Minnesota — Federal, Amended 2020 12-Day Pre-General Report at 3-4 (Mar. 1, 2021) [hereinafter Amended 2020 12-Day Pre-General Report], <https://docquery.fec.gov/pdf/865/202103019431295865/202103019431295865.pdf>; see Referral at 2.

<sup>10</sup> Compare Original 2020 12-Day Pre-General Report, with Amended 2020 12-Day Pre-General Report at 3-4, 39, 100. See Referral at 2.

<sup>11</sup> Republican Party of Minnesota — Federal, 2020 30-Day Post-General Report at 3-4 (Dec. 3, 2020) [hereinafter Original 2020 30-Day Post-General Report], <https://docquery.fec.gov/pdf/395/202012039340961395/202012039340961395.pdf>; see Referral at 2-3.

<sup>12</sup> Republican Party of Minnesota — Federal, Amended 2020 30-Day Post-General Report at 3-4 (Mar. 15, 2021) [hereinafter Second Amended 2020 30-Day Post-General Report], <https://docquery.fec.gov/pdf/643/202103159440481643/202103159440481643.pdf>; see Republican Party of Minnesota — Federal, Amended 2020 30-Day Post-General Report at 3-4 (Mar. 2, 2021), <https://docquery.fec.gov/pdf/100/202103029431311100/202103029431311100.pdf> (disclosing \$298,479.02 in receipts on Line 12 and \$796,479.94 in disbursements on Line 21(b)); Referral at 2-3.

<sup>13</sup> Compare Original 2020 30-Day Post-General Report, with Second Amended 2020 30-Day Post-General Report at 3-4, 102, 108, 110, 115, 120, 183-84. See Referral at 2-3.

MUR 8061 (Republican Party of Minnesota — Federal)

Factual and Legal Analysis

Page 4 of 10

1        On April 18, 2021, RAD sent Requests for Additional Information (“RFAI”) to the  
 2        Committee requesting clarification regarding the substantial increase in activity on the Amended  
 3        2020 12-Day Pre-General and 2020 30-Day Post-General Reports.<sup>14</sup> On May 24, 2021, the  
 4        Committee filed Form 99s in response, stating that the increase in activity reported “was due to  
 5        the transfers . . . inadvertently being left off of” the original reports and its receipts and  
 6        disbursements were “correctly and properly reported” on the amended reports.<sup>15</sup>

7        **B.        Receipt of Excessive Contributions**

8        RAD also referred this matter for the Committee’s receipt of excessive contributions and  
 9        failure to timely refund those contributions within the permissible timeframe.<sup>16</sup> The Referral  
 10        states that the Committee reported \$58,911.03 in contributions from 11 individuals on its 2020  
 11        October Monthly, 2020 12-Day Pre-General, and 2020 30-Day Post-General Reports that appear  
 12        to exceed the limits set forth in the Act.<sup>17</sup> The Committee subsequently reported a refund of one

---

<sup>14</sup>        Republican Party of Minnesota — Federal, Request for Additional Info. (“RFAI”) at 1 (Apr. 18, 2021) [hereinafter First April 18, 2021 RFAI], <https://docquery.fec.gov/pdf/043/202104180300116043/202104180300116043.pdf>; Republican Party of Minnesota — Federal, RFAI at 1 (Apr. 18, 2021) [hereinafter Second April 18, 2021 RFAI], <https://docquery.fec.gov/pdf/047/202104180300116047/202104180300116047.pdf>; *see* Referral at 2-3.

<sup>15</sup>        Republican Party of Minnesota — Federal, Form 99 (May 24, 2021) [hereinafter First May 24, 2021 Form 99], <https://docquery.fec.gov/pdf/229/202105249447382229/202105249447382229.pdf>; Republican Party of Minnesota — Federal, Form 99 (May 24, 2021) [hereinafter Second May 24, 2021 Form 99], <https://docquery.fec.gov/pdf/230/202105249447382230/202105249447382230.pdf>; *see* Referral at 2-3.

<sup>16</sup>        Referral at 3-6.

<sup>17</sup>        *Id.* at 3-6, Attach. 2; Resp., Ex. 1. It appears that one of the individual contributors, Geoffrey Palmer, made an additional \$10,000 excessive contribution to the Committee in 2020 beyond the \$20,000 in aggregate contributions identified by RAD in the relevant RFAI and the Referral. *Compare* Referral, Attach. 2, *and* First April 18, 2021 RFAI, *with FEC Individual Contributions: Filtered Results*, FEC.GOV, [https://www.fec.gov/data/receipts/individual-contributions/?committee\\_id=C00001313&contributor\\_name=geoff+palmer&contributor\\_name=geoffrey+palmer&two\\_year\\_transaction\\_period=2020](https://www.fec.gov/data/receipts/individual-contributions/?committee_id=C00001313&contributor_name=geoff+palmer&contributor_name=geoffrey+palmer&two_year_transaction_period=2020) (last visited June 21, 2022) (reflecting three individual contributions by Geoff(rey) Palmer in 2019-2020). The additional \$10,000, although earliest in time, was not yet disclosed as of the date of the relevant RFAI, and thus, was not referenced in the Referral or the Committee’s Response and is not included in the Commission’s findings here.

MUR 8061 (Republican Party of Minnesota — Federal)

Factual and Legal Analysis

Page 5 of 10

1 of those excessive contributions in the amount of \$10,000.00 on March 22, 2021, outside of the  
 2 permissible timeframe.<sup>18</sup>

3 On February 8, April 18, and June 20, 2021, RAD sent RFAIs to the Committee  
 4 requesting clarification regarding the excessive contributions accepted by the Committee.<sup>19</sup> On  
 5 March 15, May 24, and July 26, 2021, the Committee filed Form 99s in response, stating that the  
 6 excessive contributions were “inadvertent” and that the excessive amounts would be refunded to  
 7 the contributing individuals.<sup>20</sup>

8 **C. Response to the Referral**

9 In response to the Referral, the Committee acknowledges the omissions made in the  
 10 original 2020 12-Day Pre-General and 2020 30-Day Post-General Reports and acknowledges the  
 11 receipt of excessive contributions.<sup>21</sup> The Committee requests that the Commission transfer the  
 12 Referral to the Alternate Dispute Resolution Office (“ADRO”) in light of the inadvertent nature  
 13 of the violations, the Committee’s self-reporting of the omissions via amendments to its reports,  
 14 the steps it has taken to ensure future violations arising from participation in joint fundraising

---

<sup>18</sup> Referral at 4, Attach. 2; Resp. at 1-2; Republican Party of Minnesota — Federal, 2021 April Monthly Report at 64 (Apr. 20, 2021) [hereinafter 2021 April Monthly Report], <https://docquery.fec.gov/pdf/218/202104209444387218/202104209444387218.pdf#navpanes=0>.

<sup>19</sup> Republican Party of Minnesota — Federal, RFAI at 2, Attach. (Feb. 8, 2021), <https://docquery.fec.gov/pdf/842/202102080300104842/202102080300104842.pdf>; First April 18, 2021 RFAI at 1-2, Attach.; Second April 18, 2021 RFAI at 1-2, Attach.; Republican Party of Minnesota — Federal, RFAI at 1-2, Attach. (June 20, 2021), <https://docquery.fec.gov/pdf/742/202106200300119742/202106200300119742.pdf>; Referral at 3-5.

<sup>20</sup> Republican Party of Minnesota — Federal, Form 99 (Mar. 15, 2021), <https://docquery.fec.gov/pdf/401/202103159440483401/202103159440483401.pdf>; Republican Party of Minnesota — Federal, Form 99 (July 26, 2021), <https://docquery.fec.gov/pdf/483/202107269451992483/202107269451992483.pdf>; First May 24, 2021 Form 99; Second May 24, 2021 Form 99; Referral at 3-5.

<sup>21</sup> Resp. at 1-2, Ex. 1.

MUR 8061 (Republican Party of Minnesota — Federal)

Factual and Legal Analysis

Page 6 of 10

1 committees do not occur again, and the lack of informational harm to the public.<sup>22</sup> Furthermore,  
 2 the Committee states that it has already refunded and reported the refund of \$10,000 of the  
 3 excessive contributions — albeit outside of the permissible timeframe — and contends that three  
 4 additional identified contributions totaling \$10,000 were not, “in fact, excessive and are merely  
 5 reporting errors.”<sup>23</sup>

6 **III. LEGAL ANALYSIS**

7 **A. The Commission Finds Reason to Believe That the Committee Failed to**  
 8 **Timely and Accurately Report Receipts and Disbursements**

9 The Act requires committee treasurers to file reports of receipts and disbursements in  
 10 accordance with the provisions of 52 U.S.C. § 30104.<sup>24</sup> These reports must include, *inter alia*,  
 11 the total amount of receipts and disbursements, including the appropriate itemizations, where  
 12 required.<sup>25</sup>

13 Here, the Committee acknowledges that it omitted receipts and disbursements on its  
 14 original 2020 12-Day Pre-General and 2020 30-Day Post-General Reports.<sup>26</sup> On its Amended  
 15 2020 12-Day Pre-General Report, the Committee disclosed additional receipts and disbursements  
 16 totaling \$1,141,171.06.<sup>27</sup> On its Amended 2020 30-Day Post-General Report, the Committee

---

<sup>22</sup> *Id.* at 3-4. Regarding the steps taken to prevent future violations, the Committee states that it is “adding a section to its compliance manual that specifically focuses on joint fundraising,” which will include “specific internal compliance measures and practices” and “list steps to . . . vet potential contributions received via joint fundraising committees for compliance with contribution limits.” *Id.* at 3.

<sup>23</sup> *Id.* at 1-2, Ex. 1.

<sup>24</sup> 52 U.S.C. § 30104(a)(1); 11 C.F.R. § 104.1(a).

<sup>25</sup> 52 U.S.C. § 30104(b)(2), (4); 11 C.F.R. § 104.3(a), (b).

<sup>26</sup> Resp. at 1-2.

<sup>27</sup> Referral at 2; *see supra* note 10. Compare Original 2020 12-Day Pre-General Report at 3-4, with Amended 2020 12-Day Pre-General Report at 3-4.

MUR 8061 (Republican Party of Minnesota — Federal)

Factual and Legal Analysis

Page 7 of 10

1 also disclosed additional receipts and disbursements totaling \$698,253.00.<sup>28</sup> Therefore, the  
 2 Committee did not comply with the Act's reporting requirements when it failed to timely and  
 3 accurately report \$1,839,424.06 in aggregate receipts and disbursements.

4 In response to the Referral, the Committee states that the omissions made on its original  
 5 2020 12-Day Pre-General and 2020 30-Day Post-General Reports were "inadvertent," and that it  
 6 has "proactively" corrected those mistakes by filing amended reports and has taken steps "to  
 7 ensure that inadvertent reporting errors . . . due to participation in multiple joint fundraising  
 8 committees do not occur again in the future."<sup>29</sup> In light of those circumstances and its assertion  
 9 that the omissions "did not harm the public's informational interest" where the transfers were  
 10 reported on the joint fundraising and other political committee's reports, the Committee requests  
 11 that the Commission transfer this matter to ADRO.<sup>30</sup>

12 In similar circumstances involving state party committees that made inadvertent reporting  
 13 errors by omitting receipts and disbursements arising from participation in joint fundraising  
 14 arrangements, the Commission has consistently found reason to believe and engaged in pre-  
 15 probable cause conciliation with the relevant state party.<sup>31</sup> Furthermore, the Commission has  
 16 noted that, in the joint fundraising context, "other participating committees disclosing the types  
 17 of transactions at issue here does not vitiate the violation," because, under Commission

---

<sup>28</sup> Referral at 2-3; *see supra* note 13. *Compare* Original 2020 30-Day Post-General Report at 3-4, with Second Amended 2020 30-Day Post-General Report at 3-4.

<sup>29</sup> Resp. at 1-3.

<sup>30</sup> *Id.* at 3-4.

<sup>31</sup> *See, e.g.*, Factual & Legal Analysis ("F&LA") at 2-3, MUR 7877 (Tennessee Democratic Party); Conciliation Agreement, MUR 7877 (Tennessee Democratic Party); F&LA at 4-6, MUR 7603 (Wyoming Republican Party, Inc.); Conciliation Agreement, MUR 7603 (Wyoming Republican Party, Inc.).

MUR 8061 (Republican Party of Minnesota — Federal)

Factual and Legal Analysis

Page 8 of 10

1 regulations, both the joint fundraising and participating committees are required to report all  
 2 receipts and disbursements.<sup>32</sup>

3 Accordingly, the Commission finds reason to believe that the Republican Party of  
 4 Minnesota — Federal and Lee Prinkkila in his official capacity as treasurer violated 52 U.S.C.  
 5 § 30104(b)(2) and (4) and 11 C.F.R. § 104.3(a) and (b) by failing to timely and accurately report  
 6 receipts and disbursements.

7 **B. The Commission Finds Reason to Believe That the Committee Accepted  
 8 Excessive Contributions**

9 The Act provides that no person shall make contributions to a political committee  
 10 established and maintained by a state committee of a political party in any calendar year that, in  
 11 the aggregate, exceed \$10,000.<sup>33</sup> Likewise, the Act prohibits political committees from  
 12 knowingly accepting an excessive contribution.<sup>34</sup> When a committee receives a contribution that  
 13 on its face exceeds the limits or that exceeds the limits when aggregated with other contributions  
 14 from the same contributor, the Commission’s regulations give the committee 60 days from the  
 15 date of contribution receipt to refund, redesignate, or reattribute the excessive amount.<sup>35</sup>

16 Here, the Committee appears to have accepted excessive contributions from  
 17 11 individuals totaling \$58,911.03, as disclosed on its 2020 October Monthly Report, 2020 12-  
 18 Day Pre-General Report, 2020 30-Day Post-General Report, and amendments thereto.<sup>36</sup> The  
 19 Referral and the Committee’s 2021 April Monthly Report reflect that the Committee has

---

<sup>32</sup> F&LA at 4, MUR 7599 (Nevada State Democratic Party) (citing 11 C.F.R. § 102.17(c)(8)(i), (ii)); F&LA at 4, MUR 7598 (Democratic Party of South Carolina) (same).

<sup>33</sup> 52 U.S.C. § 30116(a)(1)(D); 11 C.F.R. § 110.1(c)(5).

<sup>34</sup> 52 U.S.C. § 30116(f); 11 C.F.R. § 110.9.

<sup>35</sup> See 11 C.F.R. § 103.3(b)(3).

<sup>36</sup> Referral at 3-6; *see supra* notes 16-17.

MUR 8061 (Republican Party of Minnesota — Federal)

Factual and Legal Analysis

Page 9 of 10

1 refunded one excessive contribution of \$10,000.00 over five months after it was received.<sup>37</sup> In  
 2 sum, the available information indicates that the Committee has accepted excessive contributions  
 3 from 11 individuals totaling \$58,911.03, of which it has only refunded \$10,000, and that outside  
 4 of the permissible timeframe.

5           In response to the Referral, the Committee acknowledges that it accepted excessive  
 6 contributions from eight of the individuals identified in the Referral.<sup>38</sup> The Committee contends  
 7 that the contributions from the remaining three identified individuals, “appeared,” but were not,  
 8 “excessive due to inadvertent reporting errors,” and that it would amend its disclosure reports to  
 9 correct the errors.<sup>39</sup> The Committee further states that it is determining whether any of the eight  
 10 acknowledged excessive contributions can be remedied by reversing the allocations from Trump  
 11 Victory in a subsequent distribution and, where that is not possible or applicable, it will refund  
 12 the excessive contributions.<sup>40</sup> Broadly, the Committee states that it has been “unable to refund  
 13 the remaining excessive contributions due to its limited cash-on-hand” and is committed to  
 14 refunding the remaining excessive contributions “as funds become available.”<sup>41</sup>

---

<sup>37</sup>           Referral, Attach. 2; Republican Party of Minnesota — Federal, 2020 October Monthly Report at 31, 34 (Oct. 20, 2020), <https://docquery.fec.gov/pdf/861/202010209298272861/202010209298272861.pdf>; 2021 April Monthly Report at 64; *see also* Resp. at 1-2.

<sup>38</sup>           *See* Resp. at 1-3, Ex. 1.

<sup>39</sup>           *See id.* Of the \$58,911.03 in aggregate excessive contributions identified in the Referral, the Committee contends that it only accepted \$48,911.03 in aggregate excessive contributions. *Id.* at 2. The Committee asserts that it reversed the identified \$3,500 excessive contribution from David Fischer transferred from Trump Victory within the permissible 60-day timeframe, but “inadvertently omitted a negative entry to disclose its corrective action.” *Id.* at 2, 5-6, Ex. 1. The Committee further asserts that it inaccurately reported the amount of the contributions from Syed Anwar and Michael Hodges that were transferred from Trump Victory. *Id.* Specifically, the Committee states that it received \$7,350 from Anwar instead of the \$10,000 reported (a difference of \$2,650) and \$3,500 from Hodges instead of the \$7,350 reported (a difference of \$3,850). *Id.*

<sup>40</sup>           *Id.* at 3, Ex. 1.

<sup>41</sup>           *Id.* at 3. However, as noted above, the Committee reported \$194,323.07 cash on hand as of May 31, 2022. *See* 2022 June Monthly Report at 2; *supra* note 5.

MUR 8061 (Republican Party of Minnesota — Federal)

Factual and Legal Analysis

Page 10 of 10

1        However, Commission disclosure reports reflect that, through the end of April 2022, the  
2        Committee has only refunded one excessive contribution and does not appear to have amended  
3        the relevant disclosure reports to reflect the reporting errors as it stated it would in its  
4        Response.<sup>42</sup> Accordingly, the Commission finds reason to believe that the Republican Party of  
5        Minnesota — Federal and Lee Prinkkila in his official capacity as treasurer violated 52 U.S.C.  
6        § 30116(f) and 11 C.F.R. § 110.9 by accepting excessive contributions.

---

<sup>42</sup>        See 2021 April Monthly Report at 64 (reflecting a refund of excessive contribution in the amount of \$10,000); *FEC Disbursements: Filtered Results*, FEC.GOV, [https://www.fec.gov/data/disbursements/?%E2%80%8Ccommittee\\_id=C00001313&data\\_type=processed&committee\\_id=C00001313&recipient\\_name=anthony+lomangino&recipient\\_name=august+busch&recipient\\_name=david+fischer&recipient\\_name=geoffrey+palmer&recipient\\_name=lewis+topper&recipient\\_name=martin+harmon&recipient\\_name=michael+hodges&recipient\\_name=richard+roberts&recipient\\_name=syed+anwar&recipient\\_name=walter+buckley&two\\_year\\_transaction\\_period=2022&two\\_year\\_transaction\\_period=2020&min\\_date=01%2F01%2F2021&max\\_date=12%2F31%2F2022](https://www.fec.gov/data/disbursements/?%E2%80%8Ccommittee_id=C00001313&data_type=processed&committee_id=C00001313&recipient_name=anthony+lomangino&recipient_name=august+busch&recipient_name=david+fischer&recipient_name=geoffrey+palmer&recipient_name=lewis+topper&recipient_name=martin+harmon&recipient_name=michael+hodges&recipient_name=richard+roberts&recipient_name=syed+anwar&recipient_name=walter+buckley&two_year_transaction_period=2022&two_year_transaction_period=2020&min_date=01%2F01%2F2021&max_date=12%2F31%2F2022) (last visited June 21, 2022) (reflecting no disbursements by the Committee to the 10 remaining individuals from whom it received excessive contributions); *see also* Referral, Attach. 2; Resp. at 1-2; *supra* note 37.