



FEDERAL ELECTION COMMISSION
Washington, DC 20463

VIA ELECTRONIC MAIL

January 26, 2023

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

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

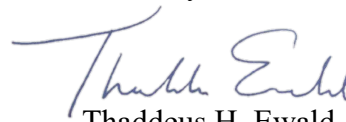
Dear Mr. Toner and Ms. Zehr:

On January 25, 2023, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of your client, Republican Party of Minnesota — Federal and Lee Prinkkila in his official capacity as treasurer, in settlement of violations of 52 U.S.C. §§ 30104(b)(2) and (4) and 30116(f), provisions of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. §§ 104.3(a) and (b) and 110.9 of the Commission's regulations. Accordingly, the Commission has closed the file 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) 694-1572 or tewald@fec.gov.

Sincerely,


Thaddeus H. Ewald
Attorney

Enclosure:
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 8061
Republican Party of Minnesota — Federal)	
and Lee Prinkkila in his official capacity)	
as treasurer)	
)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Republican Party of Minnesota — Federal and Lee Prinkkila in his official capacity as treasurer (“Respondent” or the “Committee”) 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.

NOW, THEREFORE, the Commission and 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 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 and law in this matter are as follows:

1. The Committee is a state party committee of the Republican Party and Lee Prinkkila is the Committee's current treasurer.¹

2. The Federal Election Campaign Act of 1971, as amended (the "Act") requires committee treasurers to file reports of receipts and disbursements in accordance with the provisions of 52 U.S.C. § 30104. 52 U.S.C. § 30104(a)(1); 11 C.F.R. § 104.1(a).

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

4. The Act provides that no person shall make contributions to a political committee established and maintained by a state committee of a political party in any calendar year that, in the aggregate, exceed \$10,000. 52 U.S.C. § 30116(a)(1)(D); 11 C.F.R. § 110.1(c)(5).

5. The Act further prohibits political committees from knowingly accepting excessive contributions. 52 U.S.C. § 30116(f); 11 C.F.R. § 110.9. When a committee receives a contribution that on its face exceeds the limits or that exceeds the limits when aggregated with other contributions from the same contributor, the Commission's regulations give the committee 60 days from the date of contribution receipt to refund, redesignate, or reattribute the excessive amount. *See* 11 C.F.R. § 103.3(b)(3).

6. The Committee filed its original 2020 12-Day Pre-General Report on October 22, 2020, on which it disclosed \$31,039.01 in receipts identified as Transfers from Affiliated/Other Party Committees on Line 12 and \$242,908.36 in disbursements identified as Other Federal Operating Expenditures on Line 21(b). On March 1, 2021, the Committee filed an

¹ Mr. Prinkkila became the treasurer of the Committee on October 4, 2021.

Amended 2020 12-Day Pre-General Report, on which it disclosed \$601,624.54 in receipts on Line 12 and \$813,493.89 in disbursements on Line 21(b). This amendment reflects an aggregate increase of \$1,141,171.06 in activity on the 2020 12-Day Pre-General Report.

7. The Committee filed its original 2020 30-Day Post-General Report on December 3, 2020, on which it disclosed \$46,108.84 in receipts identified as Transfers from Affiliated/Other Party Committees on Line 12 and \$544,109.76 in disbursements identified as Other Federal Operating Expenditures on Line 21(b). On March 2 and 15, 2021, the Committee filed amendments to its 2020 30-Day Post-General Report, on which it ultimately disclosed \$395,235.34 in receipts on Line 12 and \$893,236.26 in disbursements on Line 21(b). These amendments reflect an aggregate increase of \$698,253.00 in activity on the 2020 30-Day Post-General Report.

8. The Committee reported receiving \$58,911.03 in contributions from 11 individuals on its 2020 October Monthly, 2020 12-Day Pre-General, and 2020 30-Day Post-General Reports that exceed the limits set forth in the Act. The Committee subsequently reported a refund of one of those excessive contributions in the amount of \$10,000.00 on March 22, 2021, outside of the permissible timeframe.

9. The Committee contends that, of the excessive contributions identified in the Referral, it only accepted \$48,911.03 in aggregate excessive contributions. On December 20, 2022, the Committee amended its 2020 30-Day Post-General Report to disclose that the Committee had taken corrective action within the permissible timeframe to remedy a \$3,500.00 excessive contribution from one of the 11 individuals, that the correct amount of a contribution from a second individual was \$7,350.00, not \$10,000.00, and that the correct amount of a contribution from a third individual was \$3,500.00, not \$7,350.00.

V. Respondent 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.

VI. Respondent will take the following actions:

1. Respondent will pay a civil penalty to the Commission in the amount of Fifty-Eight Thousand Five-Hundred Dollars (\$58,500), pursuant to 52 U.S.C. § 30109(a)(5)(A).
2. Respondent will cease and desist from committing violations of 52 U.S.C. §§ 30104(b)(2), (4), and 30116(f) and 11 C.F.R. §§ 104.3(a), (b), and 110.9.
3. Respondent will remedy all remaining excessive contributions at issue and will disclose all refunds issued to remedy the violations on its reports filed with the Commission.

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 same and the Commission has approved the entire Agreement.

IX. Respondent shall have no more than thirty (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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 Conciliation Agreement
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X. This Agreement constitutes the entire agreement between the parties on the matter 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
 Associate General Counsel
 for Enforcement

Digitally signed by
 Charles Kitcher
 Date: 2023.01.26
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1/26/23

Date

FOR THE RESPONDENT:

Brandis L Zehr
 Michael E. Toner, Esq.
 Brandis L. Zehr, Esq.
 Counsel for Respondent

1/10/2023
 Date