



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 12, 2021

THOMAS DATWYLER, TREASURER
MILLER-MEEKS FOR CONGRESS
PO BOX 33
OTTUMWA, IA 52501

Response Due Date
05/17/2021

IDENTIFICATION NUMBER: C00558825

REFERENCE: AMENDED 30 DAY POST-GENERAL REPORT (10/15/2020 -
11/23/2020), RECEIVED 01/31/2021

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 6 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limit set forth in the Act (see attached).

No political committee other than a qualified multi-candidate committee may make contributions to a candidate for federal office in excess of \$2,800 per election. The attached PACs did not meet the requirements for qualified multi-candidate status as of the date the contribution(s) was made to your committee. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution(s) you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new

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designation does not exceed the limitations on contributions made with respect to that election; or (2) the committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) A contribution can only be redesignated to a previous election to the extent that the contribution does not exceed net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters redesignating the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund or redesignate the excessive amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions from an organization(s) which is not a political committee registered with the Commission (see attached). In order for your committee to accept contributions from unregistered organizations, your committee should take steps to ensure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 52 U.S.C. §§ 30116(f) and 30118 (formerly 2 U.S.C. §§ 441a(f) and 441b) or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: (1) establish a separate account which contains only those funds permitted under the Act, or (2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

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If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(b) or (c), as applicable, of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

3. Column B figures for the Summary and Post-Election Detailed Summary Page information should equal the sum of the Column B figures on your previous report and the Column A figures on this report minus the Column C figures. Please file an amendment to your report to correct the Column B discrepancies for Lines 6(a), 6(c), 11(a)(i), 11(a)(ii), 11(a)(iii), 11(c), 11(e), and 16 and all subsequent report(s) that may be affected by this correction. Note that Column B should reflect only the election cycle-to-date totals (11/7/2018 through 11/3/2020). (52 U.S.C. § 30104(b) (formerly 2 U.S.C. § 434(b)) and 11 CFR § 104.3)

4. Schedule A supporting Line 12 of the Detailed Summary Page(s) of your combined 2020 reports discloses transfer(s) that exceed the sum of memo Schedule A entries (see attached). Please note that the sum of memo Schedule A supporting a transfer(s) from a joint fundraising committee should be greater than or equal to the amount of the transfer(s).

Each participating committee shall report its share for **net** proceeds received from the joint fundraising committee as a transfer-in on Schedule A. A memo Schedule A must be provided to itemize your committee's share of the **gross** contributions received through the joint fundraiser. The memo schedule should itemize each individual who has contributed an aggregate in excess of \$200 during the election cycle and provide the amount of unitemized contributions received. In addition, the memo schedule should itemize your committee's share of all contributions from political committees, regardless of amount. (11 CFR § 102.17(c)(8)(i)(B)) Please amend your report to include the missing Schedule A or provide an explanation for this apparent discrepancy.

5. Schedule A of your report indicates that your committee may have failed to

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file one or more of the required 48-hour notices regarding "last minute" contributions (to include loans, in-kind contributions, and advances) received by your committee after the close of books for the 12 Day Pre-General Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

6. Schedule A, supporting Lines 11(a)(i) and 12 of your report discloses transfers from Reconnecting Urban And Rural American Life and Winning Women Victory Committee, that appear to be received through joint fundraising efforts. However, Reconnecting Urban And Rural American Life and Winning Women Victory Committee are not disclosed as a joint fundraising representative on your Statement of Organization. Please amend your Statement of Organization to disclose the joint fundraising representative as an authorized committee of the candidate or amend your report to provide clarifying information. (11 CFR §102.2(b)(1)(i) and 11 CFR §102.17(b)(2))

- Your report disclosed a category of financial activity that appears to be disclosed on the wrong line of the Detailed Summary Page. For your information and consideration when preparing future filings, contributions from political committees should be properly disclosed on a separate Schedule A, supporting Line 11(c) of the Detailed Summary Page, and joint fundraising transfers should be properly disclosed on a separate Schedule A, supporting Line 12 of the Detailed Summary Page. Please refer to the Form 3 instructions for each line when determining the proper categorization(s) for your next filing. (11 CFR § 104.3(a) and (b))

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to

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taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RAI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1440.

Sincerely,



Patrick Harkins
Senior Campaign Finance Analyst

**Apparent Excessive, Prohibited, and Impermissible Contributions
Miller-Meeks For Congress (C00558825)**

Apparent Excessive Contributions from Committees not Qualified for Multi-Candidate Status

Contributor Name	Date	Amount	Election
Building And Restoring The American Dream Fund	9/30/20	\$2,500.00	G2020
Building And Restoring American Dream Fund	10/27/20	\$1,500.00	G2020

Contributions from Possible Unregistered Organizations

Contributor Name	Date	Amount	Election
Bremer County Republican Central Committee	11/21/20	\$250.00	O2020, Recount
Clinton County Republican Central Committee	11/21/20	\$1,000.00	O2020, Recount
NCLF PAC	11/3/20	\$2,500.00	G2020
Republican Central Committee	10/29/20	\$200.00	G2020
Washington County Republicans	11/21/20	\$500.00	O2020, Recount

**Joint Fundraising Transfers Exceed Memo Entries
Miller-Meeks For Congress (C00558825)**

Reconnecting Urban And Rural American Life

Report	Transfers	Memo Entries
2020 30 Day Post-General	\$21,149.69	\$0.00
Total	\$21,149.69	\$0.00

Take Back The House 2020

Report	Transfers	Memo Entries
2020 October Quarterly	\$10,276.25	\$0.00
Total	\$10,276.25	\$0.00

Winning Women Victory Committee

Report	Transfers	Memo Entries
2020 October Quarterly	\$6,042.99	\$0.00
2020 30 Day Post-General	\$2,400.00	\$2,400.00
Total	\$8,442.99	\$2,400.00

Missing 48-Hour Notices
Miller-Meeks For Congress (C00558825)

Contributor Name	Date	Amount	Election
American College Of Radiology Association PAC	10/30/20	\$5,000.00	G2020