

REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: October 2, 2008

ANALYST: Michelle Grant

I. COMMITTEE: Canseco for Congress
C00394353
Randy S. Blair, Treasurer
10004 Wurzbach Road, #366
San Antonio, TX 78230

II. RELEVANT STATUTE: 11 CFR §104.3(a)(3)
11 CFR §104.3(a)(4)(iv)

III. BACKGROUND:

Increased Activity Disclosed on Amended Report

Canseco for Congress ("the Committee") amended its 2008 April Quarterly Report to disclose a \$200,000.00 loan from the candidate that was not reported on its original 2008 April Quarterly Report. The \$200,000.00 loan constitutes a 90.75% increase in receipts from the financial activity on the original report (Attachment 2).

On February 25, 2008, the Committee filed a 24-Hour Notice of Expenditure from Candidate's Personal Funds (FEC FORM 10) disclosing a \$200,000.00 expenditure from the Candidate's personal funds for the 2008 Primary Election on line 10(a) (Expenditures of Personal Funds) (Image 28990516535).

On April 15, 2008, the Committee filed the original 2008 April Quarterly Report covering the period from February 14, 2008 through March 31, 2008. This report disclosed \$20,384.00 in receipts on Line 16 (Total Receipts) of the Summary Page (Image 28931160597).

On May 7, 2008, the Committee filed an Amended 2008 April Quarterly Report disclosing the \$200,000.00 loan on Schedule C supporting Line 13(a) (Loans Made or Guaranteed by the Candidate) of the Detailed Summary Page and reporting \$220,384.00 in receipts on Line 16 of the Summary Page (Image 28990970298).

29190281654

On May 16, 2008, a Request for Additional Information ("RFAI") was sent to the Committee on the Amended April Quarterly Report, received on May 7, 2008. Among other issues, the RFAI requested that the Committee amend the report to disclose the receipt or expenditure of funds disclosed on the February 25, 2008 FEC FORM 10 or explain why the corresponding Schedules A and C did not appear in the April Quarterly Report (Image 28039731040).

On June 18, 2008, the Reports Analysis Division (RAD) Analyst contacted the Committee's treasurer, Randy S. Blair, to let him know that the Committee did not respond to the above RFAI by the letter deadline, and that the matter may be referred for additional action by the Commission. Mr. Blair indicated that he would file a response to the RFAI the following week to disclose the \$200,000.00 expenditure from the candidate's personal funds on the 2008 April Quarterly Report.

On June 26, 2008, the Committee filed an Amended 2008 April Quarterly Report disclosing \$220,384.00 in receipts on Line 16 of the Summary Page (Images 28932098096). On the same day, the Committee filed an FEC Form 99 in response to the RFAI sent on May 16, 2008, which stated in part:

"It was my misunderstanding that by {sic} inputting this loan information on a Form 10, the loan information was not stored in the {sic} campaigns data base and therefore included in the Form 3 which immediately followed. I did not re-enter the loan information while filing the original Form 3 for the quarter ended March 31, 2008 for fear it would be doubled up in the reporting..." (Image 28932098129).

Later that day, Mr. Blair called the RAD Analyst to inform her of the above filings.

On July 10, 2008, an RFAI was sent to the Committee on the Amended April Quarterly Report, received on June 26, 2008, requesting that the Committee clarify why the additional financial activity was not previously reported (Image 28039763998).

On October 2, 2008, the RAD Analyst contacted Mr. Blair to let him know that the increase in activity on the Amended 2008 April Quarterly Report is referable for additional action by the Commission. Mr. Blair did not indicate an intent to provide any additional information.

To date, no further communications have been received from the Committee regarding this matter.