



**Federal Election Commission
Washington, DC 20463**

MEMORANDUM

July 16, 2009

TO: The Commission

THROUGH: Robert A. Hickey
Staff Director

FROM: John D. Gibson
Chief Compliance Officer

Lynn M. Fraser
Acting Director, ADR Office

SUBJECT: ADR 502 Ciro Rodriquez for Congress and Luis R. Vera, Treasurer,
Informational Memo on Assignment

The Audit Division (Audit) referred AD 07-28 for processing on July 9, 2009 and the ADR Office designated the referral as ADR 502. We include a summary and discussion of the referral for your information. We anticipate initiating communication with Respondents in ADR 502 on July 20, 2009. Please contact Lynn Fraser or Janice Peña if you have any questions or concerns before then. A copy of the referral is in the voting ballots folder.

Summary of Case: Audit referred Ciro Rodriquez for Congress and Luis R. Vera, Treasurer (Respondents or the Committee) following an audit of the 2006 election cycle. Audit referred the Committee for a misstatement of financial activity, a failure to file 48-Hour Notices, and impermissible contributions. Specifically, Respondents understated disbursements in 2006 in the amount of \$382,827. Respondents also failed to file 48-Hour Notices for forty-nine (49) contributions totaling \$75,200. In addition, audit identified contributions totaling \$89,150, received in 2004, and impermissibly redesignated to the 2006 Primary election.

In response to interim audit recommendations, the Committee filed amended reports to materially correct the record for the misstatement of financial activity. Respondents contend that the failure to file 48-Hour Notices resulted from an ill bookkeeper and an unusually high volume of contributions prior to the run-off election. As Respondents could not demonstrate that the redesignated contributions at issue were, in fact, permissible, the Committee issued refunds to the contributors, albeit untimely.

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