

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: October 14, 2011

ANALYST: Christopher Whyrick

I. COMMITTEE: Scalise for Congress
 C00394957
 William Vanderbrook, Treasurer (6/23/08 - present)
 Edgar J. Dillard, Treasurer (1/16/08 - 6/22/08)
 Sally A. Nungesser, Treasurer (12/17/07 - 1/15/08)
 P.O. Box 23219
 Jefferson, LA 70183-3219

II. RELEVANT STATUTE: 2 U.S.C. § 441(f)

III. BACKGROUND:

Other Violations of the Federal Election Campaign Act (2 U.S.C. § 441(f), Contributions in Name of Another Prohibited)

On June 17, 2011, a Compliance Consultant for Scalise for Congress ("the Committee"), Lymel Ruckert, called the Reports Analysis Division (RAD) Analyst to report receipt of contributions suspected to have been made by a contributor in the name of another. Ms. Ruckert informed the Analyst that the Committee just learned that contributions from three individuals reported on the 2007 Year End Report were reimbursed by another individual contributor, who also made a contribution in his own name during the same reporting period (Attachment 2). The contributions totaled \$9,200.00. Ms. Ruckert requested information on how to best approach this situation. The Analyst recommended she follow the *sua sponte* guidelines set forth by the Federal Election Commission (FEC) and file a Miscellaneous Electronic Submission ("Form 99") outlining the known circumstances as well as the remedial steps the Committee planned to take (Attachment 3).

On June 21, 2011, the Committee filed a Form 99 which stated in full:

"On December 19, 2007, the Scalise for Congress campaign received four checks as part of a fundraising event. These checks were in the amounts of \$2,300 each

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from William Bennett, Julie Ott, James Wyckoff and Melanie Detloff. On June 15, 2011, the campaign was notified by a donor, William Bennett, that he reimbursed the other three individuals named above for their respective contributions to the Scalise for Congress campaign. Before this notification on June 15, 2011, the campaign never had any information that would have led to question the validity of the checks. The checks in question were reported on the FEC report filed for the fourth quarter 2007. The Scalise for Congress campaign is now disgorging the four contributions totaling \$9,200. As part of this filing, the campaign is mailing a check for \$9,200 to the U.S. Department of the Treasury along with a copy of this letter. The Scalise for Congress campaign will report these transactions in its second quarter 2011 FEC filing" (Image 11931721993).

On July 14, 2011, the Committee filed the 2011 July Quarterly Report covering the period from April 1, 2011 through June 30, 2011. The report disclosed \$9,200.00 in disgorgements to the U.S. Treasury on June 21, 2011 on Schedule B supporting Line 21 (Other Disbursements) of the Detailed Summary Page (Image 11931824857).

On September 8, 2011, the Analyst attempted to contact William Vanderbrook, the treasurer of the Committee. The Analyst left a message for Mr. Vanderbrook offering the opportunity to file anything additional he felt pertinent that would further clarify the circumstances of the apparent 2 U.S.C. § 441(f) violation (Attachment 3).

On September 21, 2011, the Analyst left a voicemail for Ms. Ruckert concerning the same issue. On September 22, 2011, Ms. Ruckert returned the Analyst's call and stated that the Committee did not have anything to add to the previously filed Form 99 concerning their receipt of contributions made in the name of another.

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

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O-Index (2011-2012)													
Comte: ID: C00394957 Comte: Name: SCALISE FOR CONGRESS													
Treasurer Name: VANDERBROOK, WILLIAM Address: PO BOX 23219, JEFFERSON, LA 70183-3219													
Comte: Type: H (HOUSE) Comte: Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE) Filing Frequency: QUARTERLY FILER													
Form Tp	Rpt Tp	At	Receipt Dt	Pgs	Begin Ingt	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Receipts	Disb	End Cash	Debits & Loans
MS-T			6/21/2011	1	11931721893								
F3N	Q1	N	3/1/2011	80	11931721893	3/1/2011	6/30/2011		\$364,501	\$188,920	\$71,716	\$480,188	\$0
F3N	Q2	N	7/14/2011	98	11931824782	4/1/2011	6/30/2011		\$480,188	\$202,794	\$138,898	\$544,280	\$0
F3N	Q3	N	10/14/2011	98	11931824782	7/1/2011	9/30/2011		\$544,280	\$188,920	\$71,716	\$480,188	\$0
Totals									\$364,501	\$391,704	\$210,415		

O-Index (2009-2010)													
Comte: ID: C00394957 Comte: Name: SCALISE FOR CONGRESS													
Treasurer Name: VANDERBROOK, WILLIAM Address: PO BOX 23219, JEFFERSON, LA 70183-3219													
Comte: Type: H (HOUSE) Comte: Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE) Filing Frequency: QUARTERLY FILER													
Form Tp	Rpt Tp	At	Receipt Dt	Pgs	Begin Ingt	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Receipts	Disb	End Cash	Debits & Loans
RO2	Q1	N	6/18/2009	5	28030102108	1/1/2009	3/31/2009						
RO2	YE	N	3/18/2010	5	28030207733	10/1/2009	12/31/2009						
F3N	Q1	N	4/15/2009	98	28030404438	1/1/2009	3/31/2009		\$12,440	\$195,357	\$70,003	\$137,794	\$180,218
F3N	Q2	N	7/17/2009	98	28030404438	4/1/2009	6/30/2009		\$12,440	\$217,822	\$188,188	\$167,246	\$0
F3N	Q3	N	10/14/2009	98	28030404438	7/1/2009	9/30/2009		\$167,246	\$173,688	\$151,589	\$189,358	\$0
F3N	YE	N	1/29/2010	97	10830223853	10/1/2009	12/31/2009		\$189,358	\$112,308	\$83,034	\$218,628	\$0
F3N	Q1	N	4/15/2010	77	10830404186	1/1/2010	3/31/2010		\$218,628	\$175,660	\$75,764	\$318,523	\$0
F3N	Q2	N	7/14/2010	88	10830574554	4/1/2010	6/30/2010		\$318,523	\$180,782	\$170,776	\$328,528	\$0
F3N	Q3	N	10/15/2010	89	1083108774	7/1/2010	9/30/2010		\$328,528	\$82,300	\$27,405	\$383,420	\$0
F3N	Q4	N	1/21/2011	25	10831696302	10/1/2010	12/31/2010		\$383,420	\$97,137	\$114,128	\$398,429	\$0
F3N	Q1	N	4/15/2011	88	10831696302	1/1/2011	3/31/2011		\$398,429	\$74,965	\$1,977	\$439,436	\$0
F3N	Q2	N	7/14/2011	27	10830213484	4/1/2011	6/30/2011		\$439,436	\$38,328	\$55,719	\$380,443	\$0
F3N	Q3	N	10/14/2011	27	10830213484	7/1/2011	9/30/2011		\$380,443	\$11,448	\$38,900	\$382,991	\$0
F3N	YE	N	1/29/2012	2	10831174258	10/1/2011	12/31/2011						
F1A		A	9/25/2009	4	28032844018								
F6			10/24/2010	2	10831708868								
F6			10/27/2010	2	10831786888								
F6			10/22/2010	2	10831780303								
F6			10/28/2010	2	10831774438								
Totals									\$3,353,024	\$1,007,473			

O-Index (2007-2008)													
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Treasurer Name: VANDERBROOK, WILLIAM Address: PO BOX 23219, JEFFERSON, LA 70183-3219													
Comte: Type: H (HOUSE) Comte: Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE) Filing Frequency: QUARTERLY FILER													
Form Tp	Rpt Tp	At	Receipt Dt	Pgs	Begin Ingt	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Receipts	Disb	End Cash	Debits & Loans
RO2	Q1	A	4/1/2008	2	28030664217	1/1/2007	3/31/2007						

Attachment 1

Attachment 1

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F8		3/28/2008	2	2880087420	
F8		3/22/2008	2	2880087420	
F8		3/22/2008	2	2880087420	
F8		3/21/2008	2	2880087046	
F8		3/28/2008	3	2880087046	
F8		4/3/2008	3	2880076468	
F8		3/28/2008	3	2880076830	
F8		4/18/2008	3	28800876830	
F8		4/23/2008	3	28800876830	
F8		4/23/2008	2	28850010227	
F8		4/30/2008	4	28800852987	
F1A		4/30/2008	4	28800852987	
F8		8/27/2008	2	28832887748	
F8		9/30/2008	2	28832887748	
F8		9/28/2008	3	28833330041	
F8		9/23/2008	2	28833330041	
F8		10/1/2008	2	288333309186	
F8		10/24/2008	3	288333309186	
F8		10/28/2008	3	28834180497	
F8		10/31/2008	3	28834180497	
F2N	N	12/8/2007	1	2780094595	
F1A	A	12/18/2008	4	2780094595	
F1A	A	12/17/2007	4	27801027878	
Totals				\$1,825,911	\$1,928,277

Scalise for Congress (C00394957)
Contributions in the Name of Another

2007 Year End Report

Contributor Name	Date	Amount	Election Designation	Image Number
William Bennett	12/19/2007	\$2,300.00	2008 Special Primary	28990265522
Melanie Detloff	12/19/2007	\$2,300.00	2008 Special Primary	28990265526
Julie Ott	12/19/2007	\$2,300.00	2008 Special Primary	28990265543
James Wyckoff	12/19/2007	\$2,300.00	2008 Special Primary	28990265551

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