



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

March 24, 2011

DAN KYLE, TREASURER  
REPUBLICAN PARTY OF LOUISIANA  
530 LAKELAND DRIVE, SUITE 215  
BATON ROUGE, LA 70802

**Response Due Date**  
**04/28/2011**

IDENTIFICATION NUMBER: C00187450

REFERENCE: 30 DAY POST-GENERAL REPORT (10/14/2010 - 11/22/2010)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) 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 5 item(s):

1. Schedule A of your report discloses one or more contributions totaling \$10,000.00 from Eastland Holdings, LLC and Elle Investments, LLC, which appears to be a corporation(s). 2 U.S.C. §441b(a) prohibits the receipt of contributions from corporations unless made from a separate segregated fund established by the corporation. Limited liability companies (LLC's) that choose to be treated as corporations under the Internal Revenue Service rules, or have shares that are traded publicly, are considered corporations. In the event that the LLC is treated as a partnership under IRS rules, the aforementioned contributions are to be attributed to each member in direct proportion to his or her share of the LLC's profit or by agreement of its members. Each member who has contributed in excess of \$200 for the calendar year should be identified by name, address, amount of contribution, name of employer, occupation and aggregate total on Schedule A. 11 CFR §110.1(g) (1) through (5).

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

If you have received a prohibited contribution(s), you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence

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federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. See 11 CFR 103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. In addition, any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

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

**2.** The limitation on making coordinated party expenditures on behalf of a Senate and a House candidate in the State of Louisiana for the 2010 general election is \$293,200.00 and \$43,500.00, respectively. Your reports, however, disclose coordinated party expenditures made on behalf of Sen. David Vitter and Rep. Anh Cao totaling \$355,541.84 and \$68,432.76, respectively, which appear to exceed the limitations under 2 U.S.C. §441a(d) (see attached).

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

If you have made an excessive coordinated party expenditure, you must notify the candidate and request a refund of the amount in excess of the limitation.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request sent to the candidate. In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

Although the Commission may take further legal action concerning the excessive coordinated party expenditures, prompt action in obtaining a refund will be taken into consideration

**3.** The totals listed on Lines 11(b), 11(c), 21(a)(i), 21(a)(ii), and 21(b), Column B of the Detailed Summary Page(s) appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous

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report to the current "Total This Period" figure from Column A to derive the correct Column B totals. Please amend your report and **any subsequent reports that may be affected by this correction.**

4. Schedule F of your report discloses the Aggregate General Election Expenditure(s) for Rep. Anh Cao to be \$66,287.90. However, FEC calculations disclose this amount(s) to be \$68,432.76. Please amend your report to clarify this discrepancy.

5. Schedule B supporting Line 30(b) of your report discloses a payment(s) for "GOTV Early Voting calls," "GOTV Early voting calls," and "GOTV Robo calls" which is categorized as Federal Election Activity and therefore, may require the disclosure of the candidate(s) this activity should be attributed to. Expenditures and disbursements for public communications that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, please be advised that public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate rather than on Schedule B for Line 30(b). Please clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

**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 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. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please

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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) 694-1144.

Sincerely,

A handwritten signature in black ink that reads "Edward D. Ryan". The signature is written in a cursive style with a large, prominent "E" and "R".

Edward Ryan  
Senior Campaign Finance Analyst  
Reports Analysis Division

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**Excessive Coordinated Expenditures to Committees/Candidates**

<b>Recipient Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>	<b>Report</b>
Rep. Anh Cao	1/5/09	\$2,300.00	G-2010	2009 Mid-Year
Rep. Anh Cao	1/5/09	\$294.86	G-2010	2009 Mid-Year
Rep. Anh Cao	10/27/10	\$24,101.50	G-2010	2010 30 Day Post-General
Rep. Anh Cao	10/28/10	\$17,490.16	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/1/10	\$800.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/1/10	\$1,200.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/1/10	\$9,570.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/1/10	\$1,000.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/2/10	\$2,405.55	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/2/10	\$1,301.69	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$20.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$85.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$120.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$240.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$135.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$240.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$180.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$105.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$105.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$464.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$105.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$285.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$105.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$240.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$90.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$165.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$120.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/4/10	\$165.00	G-2010	2010 30 Day Post-General
Rep. Anh Cao	11/9/10	\$5,000.00	G-2010	2010 30 Day Post-General
Sen. David Vitter	10/18/10	\$1,193.53	G-2010	2010 30 Day Post-General
Sen. David Vitter	10/18/10	\$37,168.90	G-2010	2010 30 Day Post-General
Sen. David Vitter	10/18/10	\$19,376.46	G-2010	2010 30 Day Post-General
Sen. David Vitter	10/25/10	\$116,125.25	G-2010	2010 30 Day Post-General
Sen. David Vitter	10/25/10	\$34,756.32	G-2010	2010 30 Day Post-General
Sen. David Vitter	10/28/10	\$4,882.68	G-2010	2010 30 Day Post-General
Sen. David Vitter	10/28/10	\$106,640.00	G-2010	2010 30 Day Post-General
Sen. David Vitter	10/28/10	\$3,099.00	G-2010	2010 30 Day Post-General
Sen. David Vitter	11/1/10	\$30,049.70	G-2010	2010 30 Day Post-General
Sen. David Vitter	11/1/10	\$2,250.00	G-2010	2010 30 Day Post-General