



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 11, 2015

JAMES F. BRASWELL, TREASURER
PERDUE FOR SENATE
3110 MAPLE DRIVE NE SUITE 400
ATLANTA, GA 30305-2650

Response Due Date
02/17/2015

IDENTIFICATION NUMBER: C00547570

REFERENCE: 12 DAY PRE-GENERAL REPORT (10/01/2014 - 10/15/2014)

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. **An adequate response must be received at the Senate Public Records Office by the response date noted above. 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 3 item(s):

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

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,600 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. 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), (e) and (k))

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 you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the

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excessive portions are properly redesignated or reattributed. Guidelines for each option are provided below.

For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, 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 designation does not exceed the limitations on contributions made with respect to that election; or (2) your 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)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

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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 reattributing or 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 and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution 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, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions that appear to be from limited liability corporation(s) (LLC) (see attached). 11 C.F.R. §110.1(g) allows the receipt of contributions from LLCs providing the LLC is treated as a partnership for tax purposes, and has not elected to be treated as a corporation by the Internal Revenue Service (IRS). Both LLCs that claim corporate status and those that publicly traded would be treated as corporations for FECA purposes.

Please amend your report to clarify if the LLCs in question are treated as partnerships. If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

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(a) 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.

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3. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in an election cycle. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (initials for first or last name are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

The attached employer and occupation entries appear on your report and are not considered acceptable.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

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Please amend your report to provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

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.**

A written response or an amendment to your original report(s) correcting the above problems should be filed with the Senate Public Records Office. Please contact the Senate Public Records Office at (202) 224-0322 for instructions on how and where to file an amendment. If you should 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) 694-1395.

Sincerely,



Ben Holly
Senior Campaign Finance Analyst
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions
Perdue for Senate (C00547570)**

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Almond, Stephen E. Sr.	7/18/14	\$400.00	G2014
Almond, Stephen E. Sr.	10/8/14	\$2,600.00	G2014
Barnett, Hoyt	10/13/14	\$2,600.00	G2014
Barnett, Hoyt	10/13/14	\$2,600.00	G2014
Bell, James F. Mr. Jr.	10/8/14	\$5,200.00	G2014
Davidson, Donna	8/15/14	\$2,600.00	G2014
Davidson, Donna	10/6/14	\$2,600.00	G2014
Ferguson, J. Paul Dr. MD	10/15/14	\$3,000.00	G2014
Fox, Sam Mr.	10/8/14	\$2,600.00	G2014
Fox, Sam Mr.	10/8/14	\$2,600.00	G2014
Geary, John W. Mr. III	8/28/14	\$2,600.00	G2014
Geary, John W. Mr. III	10/3/14	\$2,600.00	G2014
Grinstead, Charles H. Mr. Jr.	8/4/14	\$2,600.00	G2014
Grinstead, Charles Jr.	10/13/14	\$250.00	G2014
Hawie, Edward	10/15/14	\$5,200.00	G2014
Johnson, Charles D.	7/24/14	\$1,000.00	G2014
Johnson, Charles D.	9/9/14	\$1,000.00	G2014
Johnson, Charles D.	9/23/14	\$600.00	G2014
Johnson, Charles D.	10/10/14	\$1,000.00	G2014
Langdale, J. Wesley III	9/9/14	\$2,000.00	G2014
Langdale, J. Wesley III	10/15/14	\$2,000.00	G2014
Martin, Fred	10/1/14	\$5,000.00	G2014
Phillips, Leo	9/17/14	\$1,000.00	G2014
Phillips, Leo	10/15/14	\$2,000.00	G2014
Pollard, J. Ima	10/6/14	\$5,200.00	G2014

**Excessive, Prohibited, and Impermissible Contributions
Perdue for Senate (C00547570)**

Prince, John B. Mr. III	9/9/14	\$2,600.00	G2014
Prince, John B. Mr. III	10/8/14	\$2,600.00	G2014
Ralston, Edward M. Mr.	10/7/14	\$5,200.00	G2014
Ratcliffe, David M.	8/7/14	\$2,600.00	G2014
Ratcliffe, David M.	10/14/14	\$2,400.00	G2014
Rieder, Debra	10/8/14	\$2,600.00	G2014
Rieder, Debra	10/8/14	\$2,600.00	G2014
Rieder, Debra	10/8/14	\$2,600.00	G2014
Rieder, Rick	10/8/14	\$2,600.00	G2014
Rieder, Rick	10/8/14	\$2,600.00	G2014
Rieder, Rick	10/8/14	\$2,600.00	G2014
Rollins, Arthur Mr.	10/10/14	\$5,200.00	G2014
Scartz, Don T. Mr.	8/28/13	\$2,500.00	G2014
Scartz, Don T. Mr.	10/14/14	\$1,500.00	G2014
Wahlen, Edwin Jr.	8/13/14	\$2,500.00	G2014
Wahlen, Edwin Mr. Jr.	10/3/14	\$2,600.00	G2014
Excessive Contributions from Committees			
Contributor Name	Date	Amount	Election
Friends of Doug Everett	10/11/14	\$2,600.00	G2014
Friends of Doug Everett	10/11/14	\$2,600.00	G2014
THE HAWKEYE PAC	9/12/14	\$4,000.00	G2014
THE HAWKEYE PAC	10/15/14	\$5,000.00	G2014
Excessive Contributions from Committees not Qualified for Multi-Candidate Status			
Contributor Name	Date	Amount	Election
ROCK-TENN COMPANY POLITICAL ACTION COMMITTEE	9/12/14	\$2,500.00	G2014
ROCK-TENN COMPANY POLITICAL ACTION COMMITTEE	10/11/14	\$2,500.00	G2014

**Excessive, Prohibited, and Impermissible Contributions
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Contributions from Possible Prohibited Entities

Contributor Name	Date	Amount	Election
Knight Appraisal Group, LLC	10/15/14	\$250.00	G2014
Pineboro Farms, LLC	10/15/14	\$250.00	G2014

**Inadequate Employer/Occupation Entries
Perdue for Senate (C00547570)**

Employer	Occupation
Information Requested	Information Requested
None	None
Self	Self
Self-Employed	Businessman
Self-Employed	Information Requested
Self-Employed	Management
Self-Employed	Self-Employed