



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

September 10, 2015

JAMES J. MALCZEWSKI, TREASURER
RON JOHNSON FOR SENATE INC
219 E WASHINGTON AVE SUITE 101
OSHKOSH, WI 54901

Response Due Date

10/15/2015

IDENTIFICATION NUMBER: C00482984

REFERENCE: JULY QUARTERLY REPORT (04/01/2015 - 06/30/2015)

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 5 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). The Commission notes your additional explanation regarding the committee's corrective action taken for some of these contributions.

An individual or a political committee other than an authorized committee or a qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,700 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), and 102.13(c))

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

RON JOHNSON FOR SENATE INC

Page 2 of 6

Please be reminded that all refunds, redesignations and reattributions must be made within 60 days of receipt of the contribution. To date, one or more of the apparent excessive contributions have not been refunded, redesignated, or reattributed.

For reattributions, the funds can be retained if, within 60 days of receipt, the excessive amount was properly reattributed to another person. 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 who signed the check 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 was properly designated 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) the 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)) 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, the excessive amount must be refunded. (11 CFR § 103.3(b)(1))

If you have not already done so, please inform the Commission of your

RON JOHNSON FOR SENATE INC

Page 3 of 6

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 or redesignate and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A (see attached) discloses a contribution(s) from an individual(s) who has a mailing address outside of the United States of America. Please be advised that 52 U.S.C. § 30121(a) (formerly 2 U.S.C. §441e(a)) and 11 CFR §110.20 prohibit foreign nationals from making contributions in connection with any election for political office or in connection with any primary election, convention, or caucus held to select candidates for any political office.

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

If your committee follows the safe harbor guidelines outlined under 11 CFR §110.20(a)(7) for all contributions received from a foreign address to ensure that the sources of these contributions are not foreign nationals, please provide a detailed description of your procedures. These procedures must be used in all cases where a contributor or donor uses a foreign passport or passport number for identification purposes, provides a foreign address, makes a contribution or donation by means of a check or other written instrument drawn on a foreign bank or by wire transfer from a foreign bank, or resides abroad. A committee is deemed to have conducted a reasonable inquiry into the contributor or donor's nationality if you seek and obtain copies of current and valid U.S. passport papers for U.S. citizens. No person may rely on this safe harbor if he or she has actual knowledge that the source of the funds solicited, accepted, or received is a foreign national.

If you have received a contribution from a foreign national, you must refund the impermissible contribution to the donor in accordance with 11 CFR

RON JOHNSON FOR SENATE INC

Page 4 of 6

§103.3(b). Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the refund. In addition, any refunds should be disclosed on Schedule B supporting Line 20(a) of the report during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution(s), prompt action on your part to refund or provide clarifying information concerning these contributions will be taken into consideration.

3. Schedule A of your report discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission (see attached). In order for your committee to accept contributions from unregistered organizations, your committee should take steps to ensure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 52 U.S.C. §§ 30116(f) and 30118 (formerly 2 U.S.C. §§ 441a(f) and 441b) or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: (1) establish a separate account which contains only those funds permitted under the Act, or (2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

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(b) 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

RON JOHNSON FOR SENATE INC

Page 5 of 6

prohibited amount will be taken into consideration.

4. Schedule A, supporting Line 12 of your report discloses a transfers from "Americans United for Freedom," that appear to be received through joint fundraising efforts. However, "Americans United for Freedom" is not disclosed as a joint fundraising representative on your Statement of Organization. Please amend your Statement of Organization to disclose the joint fundraising representative as an authorized committee of the candidate or amend your report to provide clarifying information. (11 CFR §102.2(b)(1)(i) and 11 CFR §102.17(b)(2))

5. Itemized disbursements must include a brief statement or description of why each disbursement was made. Please amend Schedule B supporting Line 17 of your report to clarify the following description(s): "General Consulting." For further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(4)(i)(A).

Additional clarification regarding inadequate purposes of disbursement published in the Federal Register is available on the FEC website at www.fec.gov/law/policy/purposeofdisbursement/inadequate_purpose_list_3507.pdf. A non-exhaustive list of acceptable purposes is also available on the FEC website at <http://www.fec.gov/rad/pacs/documents/ExamplesofAdequatePurposes.pdf>.

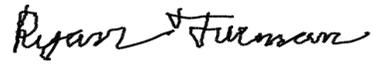
Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions 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) 694-1151.

RON JOHNSON FOR SENATE INC

Page 6 of 6

Sincerely,

A handwritten signature in black ink that reads "Ryan Furman". The signature is written in a cursive style with a prominent loop at the end of the last name.

Ryan Furman
Senior Campaign Finance Analyst
Reports Analysis Division

429

**Excessive, Prohibited, and Impermissible Contributions
Ron Johnson for Senate Inc. (C00482984)**

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Bere, James	12/13/11	\$2,500.00	P, 2016
Bere, James F Jr	6/30/15	\$2,900.00	P, 2016
Bere, James F Jr	6/30/15	\$8,300.00	P, 2016
Bere, James F Jr	6/30/15	-\$2,700.00	P, 2016
Bere, James F Jr	6/30/15	-\$5,400.00	P, 2016
Boelter, F William Mr	12/12/10	\$500.00	P, 2016
Boelter, F William Mr	12/16/13	\$1,000.00	P, 2016
Boelter, F William Mr	7/9/14	\$1,500.00	P, 2016
Boelter, F William Mr	9/15/14	-\$400.00	P, 2016
Boelter, William	6/8/15	\$2,000.00	P, 2016
Boelter, Frederick	6/29/15	\$2,000.00	P, 2016
Divelbiss, Richard J Mr	9/8/14	\$2,600.00	P, 2016
Divelbiss, Richard J	6/29/15	\$5,400.00	P, 2016
Divelbiss, Richard J	6/30/15	-\$2,700.00	P, 2016
Fisher, Jerome M	8/4/11	\$1,000.00	P, 2016
Fisher, Jerome M	2/24/12	\$1,000.00	P, 2016
Fisher, J	10/15/14	\$500.00	P, 2016
Fisher, J M	6/29/15	\$500.00	P, 2016
Frigo, Frances A	9/18/13	\$250.00	P, 2016
Frigo, Fran Chapman Mrs	1/13/14	\$500.00	P, 2016
Frigo, Frances A	6/27/14	\$500.00	P, 2016
Frigo, Fran A Chapman Mrs	7/14/14	\$1,000.00	P, 2016
Frigo, Frances C	6/29/15	\$1,000.00	P, 2016
Garmer, Elizabeth K	12/31/14	\$400.00	P, 2016
Garmer, Elizabeth K	12/31/14	\$4,000.00	P, 2016
Garmer, Elizabeth K	12/31/14	-\$1,800.00	P, 2016
Garmer, Elizabeth K	6/30/15	\$900.00	P, 2016
Hauske, Katherine D	9/15/14	\$900.00	P, 2016
Hauske, Katherine D	3/31/15	\$900.00	P, 2016
Hauske, Katherine D	3/31/15	\$900.00	P, 2016
Hauske, Katherine D	6/30/15	\$3,600.00	P, 2016
Hauske, Katherine D	6/30/15	-\$2,700.00	P, 2016

**Excessive, Prohibited, and Impermissible Contributions
Ron Johnson for Senate Inc. (C00482984)**

Hunton & Williams, LLP	5/26/14	\$1,000.00	P, 2016
Hunton & Williams, LLP	2/10/15	\$1,500.00	P, 2016
Hunton & Williams, LLP	6/23/15	\$1,500.00	P, 2016
Long, Nicholas	3/3/15	\$2,600.00	P, 2016
Long, N	6/29/15	\$500.00	P, 2016
Peck, John Jr	3/30/15	\$1,000.00	P, 2016
Peck, John Jr	6/10/15	\$5,400.00	P, 2016
Peck, John Jr	6/12/15	-\$2,700.00	P, 2016
Schuette, Ruth	8/20/11	\$2,500.00	P, 2016
Schuette, Ruth Ms	8/11/13	\$2,700.00	P, 2016
Schuette, Ruth Ms	8/13/13	-\$2,600.00	P, 2016
Schuette, Ruth J Ms	6/30/15	\$200.00	P, 2016
Stollenwerk, Joellen J Mrs	5/16/15	\$4,900.00	P, 2016
Stollenwerk, Joellen J Mrs	5/16/15	\$5,000.00	P, 2016
Stollenwerk, Joellen J Mrs	5/20/15	-\$2,700.00	P, 2016
Stollenwerk, Joellen J Mrs	5/20/15	\$5,400.00	P, 2016
Stollenwerk, Joellen J Mrs	5/27/15	-\$5,400.00	P, 2016
Wolfgram, Bonnie Jean Mrs	2/17/11	\$250.00	P, 2016
Wolfgram, Bonnie Jean Mrs	6/30/11	\$100.00	P, 2016
Wolfgram, Bonnie Jean Mrs	5/26/13	\$250.00	P, 2016
Wolfgram, Bonnie Jean Mrs	3/19/14	\$700.00	P, 2016
Wolfgram, Bonnie Mrs	5/17/14	\$350.00	P, 2016
Wolfgram, Bonnie Mrs	8/9/14	\$400.00	P, 2016
Wolfgram, Bonnie Jean Mrs	3/2/15	\$700.00	P, 2016
Wolfgram, Bonnie Jean Mrs	3/29/15	-\$50.00	P, 2016
Wolfran, Bonne Jean	4/3/15	\$700.00	P, 2016

Excessive Contributions from Committees

Contributor Name	Date	Amount	Election
American Dental PAC	12/23/13	\$5,000.00	P, 2016
American Dental PAC	6/8/15	\$1,000.00	P, 2016
Microsoft Corporation Political Action Committee	1/26/11	\$2,000.00	P, 2016
Microsoft Corporation Political Action Committee	6/30/15	\$3,500.00	P, 2016

**Excessive, Prohibited, and Impermissible Contributions
Ron Johnson for Senate Inc. (C00482984)**

National Association of Insurance and Financial Advisors	3/20/14	\$5,000.00	G, 2016
National Association of Insurance and Financial Advisors	6/30/15	\$1,000.00	G, 2016
Responsibility and Freedom Work PAC	3/30/15	\$5,000.00	G, 2016
Responsibility and Freedom Work PAC	6/30/15	\$3,000.00	G, 2016

Contributions from Individuals with Foreign Addresses

Contributor Name	Date	Amount	Election
Singer, Gordon	6/8/15	\$2,700.00	P, 2016
Singer, Jennifer	6/8/15	\$2,700.00	P, 2016

Contributions from Unregistered Organizations

Contributor Name	Date	Amount	Election
Friends of Terry Moulton	6/1/15	\$500.00	P, 2016