



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

May 27, 2014

PAUL KILGORE, TREASURER
MCFADDEN FOR SENATE
PO BOX 4039
SAINT PAUL, MN 55104

Response Due Date
07/01/2014

IDENTIFICATION NUMBER: C00545921

REFERENCE: YEAR-END REPORT (10/01/2013 - 12/31/2013)

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 1 item(s):

- 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 \$2,600 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. (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.

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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

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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.

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
McFadden for Senate (C00545921)**

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election	Memo
COXE, TENCH	11/20/13	\$10,400.00	P2014	
COXE, TENCH	12/31/13	-\$7,800.00	P2014	X
COXE, TENCH	12/31/13	\$7,800.00	G2014	X
DAVIS, MARK	12/26/13	\$10,400.00	P2014	
DAVIS, MARK	12/26/13	-\$2,600.00	P2014	X
DAVIS, MARK	12/26/13	\$2,600.00	G2014	X
DOMAILLE, MICHAEL	12/27/13	\$10,400.00	P2014	
ERICKSON, RON	12/16/13	\$1,000.00	P2014	
ERICKSON, RON	12/26/13	\$4,200.00	P2014	
FAYFIELD, ROBERT W MR	12/13/13	\$7,800.00	P2014	
FLOCOS, PETER N	9/26/13	\$5,000.00	P2014	
FLOCOS, PETER N	9/26/13	-\$2,400.00	P2014	X
FLOCOS, PETER N	9/26/13	\$2,400.00	G2014	X
FLOCOS, PETER N	12/31/13	\$200.00	P2014	
GREGORY, ARNIE	12/30/13	\$10,400.00	P2014	
GREGORY, ARNIE	12/30/13	-\$2,600.00	P2014	X
GREGORY, ARNIE	12/30/13	\$2,600.00	G2014	X
HAYS, JIM	12/31/13	\$5,000.00	P2014	
HEITHOFF, KENNETH B	9/21/13	\$5,200.00	P2014	
HEITHOFF, KENNETH B	9/21/13	-\$2,600.00	P2014	X
HEITHOFF, KENNETH B	9/21/13	\$2,600.00	G2014	X
HEITHOFF, KENNETH B	12/31/13	\$2,600.00	P2014	
JACKSON, DARREN	12/30/13	\$10,400.00	P2014	
JACKSON, DARREN	12/30/13	-\$2,600.00	P2014	X
JACKSON, DARREN	12/30/13	\$2,600.00	G2014	X

**Excessive, Prohibited, and Impermissible Contributions
McFadden for Senate (C00545921)**

LEAND, PAUL	11/5/13	\$10,400.00	P2014	
LEAND, PAUL	11/5/13	-\$2,600.00	P2014	X
LEAND, PAUL	11/5/13	\$2,600.00	G2014	X
MORRISON, JOHN	12/20/13	\$5,000.00	P2014	
NELSEN, KEITH	9/30/13	\$5,200.00	P2014	
NELSEN, KEITH	9/30/13	-\$2,600.00	P2014	X
NELSEN, KEITH	9/30/13	\$2,600.00	G2014	X
NELSEN, KEITH	12/30/13	\$2,600.00	P2014	
NELSON, JOHN J	6/28/13	\$2,000.00	P2014	
NELSON, JOHN	9/30/13	\$1,000.00	P2014	
NELSON, JOHN J	12/30/13	\$2,600.00	P2014	
NELSON, MICHAEL	12/5/13	\$5,000.00	P2014	
OHMES, MIKE	12/31/13	\$5,200.00	P2014	
O'NEILL, RORY	12/23/13	\$10,400.00	P2014	
O'NEILL, RORY	12/23/13	-\$2,600.00	P2014	X
O'NEILL, RORY	12/23/13	\$2,600.00	G2014	X
PIERCE, PETER F	11/29/13	\$9,000.00	P2014	
PIERCE, PETER F	11/29/13	-\$2,600.00	P2014	X
PIERCE, PETER F	11/29/13	\$2,600.00	G2014	X
RYAN, PATRICK	5/29/13	\$5,200.00	P2014	
RYAN, PATRICK	5/29/13	-\$2,600.00	P2014	X
RYAN, PATRICK	5/29/13	\$2,600.00	G2014	X
RYAN, PATRICK	12/30/13	\$5,200.00	P2014	
STALEY, WARREN	12/11/13	\$5,200.00	P2014	
SULLIVAN, THOMAS C	10/21/13	\$5,200.00	P2014	
SULLIVAN, THOMAS C	11/14/13	\$5,200.00	P2014	X
SULLIVAN, THOMAS C	11/14/13	-\$5,200.00	P2014	X
SULLIVAN, THOMAS C	11/14/13	\$5,200.00	G2014	X
SULLIVAN, THOMAS C	11/14/13	-\$5,200.00	G2014	X
SULLIVAN, THOMAS C	11/14/13	-\$2,600.00	P2014	X
SULLIVAN, THOMAS C	11/14/13	\$2,600.00	G2014	X
SULLIVAN, THOMAS C MR	12/10/13	\$2,600.00	P2014	

**Excessive, Prohibited, and Impermissible Contributions
McFadden for Senate (C00545921)**

TAICLET, DAVID	12/17/13	\$10,400.00	P2014	
TAICLET, DAVID	12/17/13	-\$2,600.00	P2014	X
TAICLET, DAVID	12/17/13	\$2,600.00	G2014	X