

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: August 28, 2007

ANALYST: Michelle Grant

I. COMMITTEE: Van Taylor for Congress  
C00414300  
Roy Giddens, Treasurer  
5001 LBJ Freeway, Ste 900.  
Dallas, TX 75244

II. RELEVANT STATUTE: 2 U.S.C. § 434(b)  
11 CFR §104.3(b)

III. BACKGROUND:

**Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)**

Van Taylor for Congress (the "Committee") filed the following amended reports on January 30, 2007: an Amended 2006 12 Day Pre-General Report disclosing additional disbursements totaling \$102,808.40 and an Amended 2006 30 Day Post-General Report disclosing additional disbursements of \$58,836.48 (Attachment 2).

2006 12 Day Pre-General Report

On October 26, 2006, the Committee filed the original 2006 12 Day Pre-General Report, covering the period of October 1, 2006 through October 18, 2006 (Image 26960643544). The original report disclosed \$180,159.88 in disbursements on Line 17 (Operating Expenditures) of the Detailed Summary Page (Image 26960643547).

On January 30, 2007, the Committee filed an Amended 2006 12 Day Pre-General Report, covering the period of October 1, 2006 through October 18, 2006 (Image 27960023673). The amended report disclosed \$283,968.28 in disbursements on Line 17 (Operating Expenditures) of the Detailed Summary Page (Image 27960023676).

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On February 27, 2007, a Request for Additional Information ("RFAI") was sent to the Committee referencing the Amended 2006 12 Day Pre-General Report received on January 30, 2007. The RFAI requested clarification regarding the substantial increase in disbursements that were not disclosed on the original filing (Image 27039393959).

On March 20, 2007, the Committee filed a Miscellaneous Electronic submission (Form 99) in regards to the Amended 12 Day Pre-General report, which stated in part:

"There was a single expenditure that accounts for the increase in our disbursement activity. On the initial report, we missed this transaction. It was an electronic funds transfer to our media buyer for approximately \$103,000. We did accurately report the two other electronic transfers that occurred during this period but, for this transaction, there was a failure in communication between the campaign and the agency that prepares our reports. The timing of the pre-election report also greatly contributed to this oversight. A full monthly bank statement wasn't available for reconciliation at this time. Once it was available, we proactively corrected the mistake..." (Image 27930339139)

On April 16, 2007 at 10:14, the RAD Analyst contacted the treasurer, Roy Giddens, to inform him that the matter concerning the increased activity disclosed in the 12 Day Pre-General Report would be referred to the Office of General Counsel (OGC) for further examination. The Analyst confirmed that the FEC had received a Committee response in regards to the issue and clarified that the Committee could also submit an additional response (Attachment 3).

Also on April 16, 2007 at 15:25, Paul Kilgore, a campaign consultant, contacted the RAD Analyst. The Analyst reiterated that the Committee would be referred to the OGC for amending the 12 Day Pre-General Report, covering the period of October 1, 2006 through October 18, 2006, to disclose additional activity in disbursements. The Analyst clarified that the Committee did not have to file an additional response at this time. Mr. Kilgore indicated that he would review the Committee's reports and other records on the FEC website and would contact the Analyst if he had any further questions (Attachment 3).

#### 2006 30 Day Post-General Report

On December 7, 2006, the Committee filed the 2006 30 Day Post General Report, covering the period of October 19, 2006 through November 27, 2006 (Image 26930672372). The original report disclosed \$273,508.09 in disbursements on Line 17 (Operating Expenditures) and \$1,000.00 in disbursements on Line 20(a) (Refunds of Contributions to Individuals/Persons Other Than Political Committees) of the Post Election Detailed Summary Page (Image 26930672376) (Attachment 2).

On January 30, 2007, the Committee filed an Amended 2006 30 Day Post-General Report, covering the period of October 19, 2006 through November 27, 2006

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(Image 27950031695). The amended report disclosed \$326,044.57 in disbursements on Line 17 (Operating Expenditures) and \$7,300.00 in disbursements on Line 20(a) (Refunds of Contributions to Individuals/Persons Other Than Political Committees) of the Post Election Detailed Summary Page (Image 27950031699) (Attachment 2).

On February 21, 2007, the Committee filed another Amended 2006 30 Day Post-General Report covering the period of October 19, 2006 through November 27, 2006 (Image 27930161637). This amendment disclosed the same disbursement amounts on Line 17 (Operating Expenditures) and Line 20(a) (Refunds of Contributions to Individuals/Persons Other Than Political Committees) of the Post Election Detailed Summary Page as the amendment filed on January 30, 2007 (Image 27930161641).

On February 27, 2007, a Request for Additional Information ("RFAI") was sent to the Committee referencing the Amended 2006 30 Day Post-General Report, received on January 30, 2007. The RFAI requested clarification regarding the substantial increase in disbursements that were not disclosed on the original filing (Image 27039393980).

On April 16, 2007 at 10:14, the RAD Analyst contacted the treasurer, Roy Giddens, to inform him that the Committee was being referred for an increase in disbursements. The Analyst discussed with Mr. Giddens that the 30 Day Post-General Report had been amended to disclose an increase in activity (Attachment 3).

Also on April 16, 2007 at 15:25, Paul Kilgore, a campaign consultant, contacted the RAD Analyst. The Analyst reiterated that the Committee would be referred to the OGC for amending the 30 Day Post-General Report, to disclose additional activity (Attachment 3).

To date, no further communication has been received from the Committee regarding these matters.

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