



Federal Election Commission  
Washington, DC 20463

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**MEMORANDUM**

October 29, 2007

TO: The Commission

THROUGH: Patrina M. Clark *pmc*  
Staff Director

FROM: John D. Gibson *JDG*  
Chief Compliance Officer

Deborah Ruth Kand *DRK*  
Director, ADR Office

BY: Lynn M. Fraser *JMF*  
Assistant Director, ADR Office

**SENSITIVE**

SUBJECT: ADR 422 Joe Wilson For Congress and Donald H. Burkett, Treasurer,  
Recommendation to Assign<sup>1</sup>

**ADR Case: ADR 422**

**Source No. RAD 07L-38**

**Respondents:**

Joe Wilson for Congress  
Donald H. Burkett, Treasurer

**Respondents' Rep.:**

Donald H. Burkett

**Complainant: RAD**

**Committee Name:** Joe Wilson for Congress

**Date Referral Filed:** 9/27/07

**Committee Type:** Authorized

**Date Forwarded to ADRO:** 9/27/07

**District #/or State:** SC 2<sup>nd</sup> C.D.

**Election Cycle:** 2006

**Election - Won/Lost:** Won General

<sup>1</sup> The Office of General Counsel reviewed the ADR Memorandum, and concurs in the description of the case

Issues:

- Excessive/Prohibited Contributions Excessive contributions 2 U.S.C. §§ 441a(a) and (f), 441b(a), 11 C.F.R. §§ 110.1(b), 110.9, 114.2(a), 114.2(d)
- Mathematical Discrepancies 2 U.S.C. § 434(b), 11 C.F.R. § 104.3
- Itemization contributions § 434(b)(3)(A), 11 C.F.R. §§ 100.12, 104.3(a)(4)
- Transfers to political committees 2 U.S.C. § 434(b)(5), 11 C.F.R. § 104.3(b)(4)
- Gross Receipts Schedule<sup>2</sup> 11 C.F.R. § 104.19

**Summary and Analysis of Case:** Treasurers of political committees are required to report all financial activity. The Reports Analysis Division (RAD) referred Joe Wilson for Congress and Donald H. Burkett, Treasurer (Respondents or the Committee) for a series of errors beginning with the 2005 July Quarterly Report and continuing through the 2006 30 Day Post General Report. While many of the errors involved mathematical discrepancies, Respondents' reports also included the disclosure of excessive contributions and/or otherwise prohibited contributions, a failure to provide accurate or appropriate FEC Form 3Z-1, and a failure to itemize contributions and transfers to political committees. The Committee is the principal campaign committee for Joe Graves Wilson, an unopposed successful candidate for the 2006 General Election.

**RECOMMENDATION:**

1. **Assign ADR 422/RAD 07L-38 to the ADR Office.**

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<sup>2</sup> Schedule of gross receipts (Form 3Z-1) is required to be filed by authorized committees in non-election years.