09L-10

REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: March 25, 2009

ANALYST: Christopher Whyrick

I. COMMITTEE: Paul Sawyer for Congress
C00444711
Col. Herbert P. Fritts, Treasurer (2/5/08 – present)
11814 Lake Estates Avenue
Baton Rouge, LA 70810

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

III. BACKGROUND:

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

Paul Sawyer for Congress ("the Committee") amended its 2008 April Quarterly Report to disclose increased receipts totaling $93,810.50 and increased disbursements totaling $136,910.10 (Attachment 2).

On April 15, 2008, the Committee filed its original 2008 April Quarterly Report, covering the reporting period from March 9 through March 31, 2008. This report disclosed $92,642.33 in receipts on Line 16 (Total Receipts) and $69,292.52 in disbursements on Line 22 (Total Disbursements) of the Detailed Summary Page (Images 28990846470 and 28990846471).

On April 18, 2008, the Reports Analysis Division (RAD) analyst ("the Analyst") spoke with Ms. Anne Price, a committee representative. Ms. Price stated that the figures appeared to be wrong on the 2008 April Quarterly Report. The Analyst explained that a gap between the coverage dates of the Committee's 2008 12 Day Pre-Special Primary Report (1/1/08-2/17/08) and the 2008 April Quarterly Report (3/9/08-3/31/08) caused problems with the beginning cash-on-hand balance. The Analyst recommended that Ms. Price call back when she was ready to make changes so that they could walk through the update process together (Attachment 3).

On September 4, 2008, a Request for Additional Information ("RFAI") was sent to the Committee referencing the 2008 April Quarterly Report. The RFAI requested, among other issues, further clarification regarding the gap in coverage dates from the close of the 2008 12-Day Pre-Special Primary Report and the beginning cash-on-hand balance discrepancy (Image 28039824118).

On October 6, 2008, the Committee filed an Amended 2008 April Quarterly Report, covering from March 9 through March 31, 2008 (Image 28992300453). The amended report failed to remedy the issues raised in the RFAI dated September 4, 2008.

On October 15, 2008, the Analyst attempted to contact Paul Sawyer ("the Candidate") concerning, among other issues, the beginning cash-on-hand discrepancy on the 2008 April Quarterly Report resulting from the gap in coverage dates that was cited in the September 4, 2008 RFAI. The Analyst left a message indicating that this problem was referable for further Commission action if not corrected. Later that day, the Candidate returned the call and stated that he had just arrived back from a trip. He apologized for not responding to the RFAI. The Analyst discussed the reporting problems with the Candidate, who replied that he had retained an individual to work with him on the outstanding matters. He stated that he may need a week to do this. The Analyst replied that this would not be a problem (Attachment 3).

On October 16, 2008, Christine Castille, a committee representative, called for guidance on how to correct the referable issue. The Analyst explained that the problems appeared to stem from the fact that the Committee started new files for each reporting period, rather than building upon each subsequent report in its filing software. Secondly, the Analyst explained that there was a gap between the coverage dates of the 2008 12 Day Pre-Special and April Quarterly Reports (2/18/08-3/8/08 date range was omitted). The Analyst told Ms. Castille that if she combined the reports into one file, amended the coverage dates, and uploaded the amendments, the problem would likely be resolved. Ms. Castille stated that she would file the amendments shortly (Attachment 3).

On October 17, 30, and 31 and November 4, 5, and 6, 2008, Ms. Castille spoke with the Analyst and communicated her inability to upload the Committee's 2008 Amended 12 Day Pre-Special Primary and April Quarterly Reports. Ms. Castille highlighted that she was working with the Electronic Filing Office (EFO) to attempt to resolve the issue. The Analyst also transferred Ms. Castille to the EFO for further assistance on numerous occasions (Attachment 3).

On November 6, 2008, the Committee filed an Amended 2008 April Quarterly Report, covering from February 18 through March 31, 2008 (Image 28934204553). The amended report disclosed $190,002.83 in receipts on Line 16 (Total Receipts) and $206,202.62 in disbursements on Line 22 (Total Disbursements) of the Detailed Summary Page.

On November 7, 2008, Ms. Castille called the Analyst to inquire about the accuracy of the filings. The Analyst informed her that since the Committee filed a report with increased activity, they may have to be referred for additional action by the Commission. The Analyst explained that the Committee would receive an RFAI from the Commission, and would have the opportunity to file a response to the RFAI explaining the reason for the omitted activity in the original filing. Ms. Castille said that she would wait for this correspondence and would respond accordingly (Attachment 3).

On November 20, 2008, an RFAI was sent to the Committee referencing the Amended 2008 April Quarterly Report, received November 6, 2008. The RFAI requested further clarification regarding the substantial increase in the amount of receipts and disbursements which were not disclosed in the original filing (Image 28039922881).

On December 22, 2008, the Committee filed two 2008 Amended April Quarterly Reports, both covering the period from February 18 through March 31, 2008 (Images 28935227970 and 28994329225). The first amended filing disclosed $190,752.83 on Line 16 (Total Receipts) and $206,202.62 on Line 22 (Total Disbursements) of the Detailed Summary Page. The second amended filing disclosed $186,452.83 on Line 16 (Total Receipts) and $206,202.62 on Line 22 (Total Disbursements) of the Detailed Summary Page. The latest amended filing resulted in increased receipts totaling $93,810.50 and increased disbursements totaling $136,910.10 from the financial activity reported in the original filing (Attachment 2). The amendments did not include a statement detailing the nature of the omission of financial activity at the time of the original 2008 April Quarterly Report filing.

On January 29, 2009, Ms. Castille called to inquire about filing a termination report. The Analyst explained how to prepare a termination report and restated that the Committee would be referred for additional action by the Commission for increased activity on the 2008 Amended April Quarterly Report, received December 22, 2008. The Analyst stated that the Committee should file a 2008 Year End Report and continue to file quarterly reports until the referable issue was resolved, and reminded Ms. Castille to file a statement explaining the omission of financial activity from the original 2008 April Quarterly Report. Ms. Castille replied that she did not believe the Committee would contribute anything further (Attachment 3).

To date, no further communication has been received from the Committee regarding this matter.

SAWYER, PAUL B ID #H8LA06105

PAUL SAWYER FOR CONGRESS HOUSE ID #C00444711
COL HERBERT P FRITTS 11814 Lake Estates Avenue Baton Rouge LA 70810
FILING FREQUENCY: QUARTERLY

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES		BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
1		N		2/05/2008	5	28039623855							
MS		4		2/28/2008	4	28930736536							
MS		4		3/04/2008	3	28930739417							
MS		4		3/05/2008	2	28930760475							
RQ	12S	2		8/26/2008	4	28039821679	1/01/2008	2/17/2008					
RQ	Q1	2		9/04/2008	6	28039824118	3/09/2008	3/31/2008					
RQ	Q1	2		11/20/2008	7	28039922881	2/18/2008	3/31/2008					
RQ	Q2	2		9/04/2008	4	28039824124	4/01/2008	6/30/2008					
RQ	Q2	2		11/20/2008	6	28039922875	4/01/2008	6/30/2008					
RQ	Q3	2		1/29/2009	3	29030010838	7/01/2008	9/30/2008					
3	12S	N	S	2/25/2008	47	28930730397	1/01/2008	2/17/2008	0	112513	24403	88109	0
3	12S	A	S	10/29/2008	47	28934183127	1/01/2008	2/17/2008	0	112513	24495	88017	0
3	12S	A	S	11/05/2008	51	28934203354	1/01/2008	2/17/2008	0	115206	25996	89209	0
3	Q1	N		4/15/2008	28	28990846468	3/09/2008	3/31/2008	116895-	92642	69292	93545-	40000
3	Q1	A		10/06/2008	29	28992300453	3/09/2008	3/31/2008	114595-	90342	69292	93545-	40000
3	Q1	A		11/06/2008	58	28934204553	2/18/2008	3/31/2008	89209	190002	206202	73010	40000
3	Q1	A		12/22/2008	59	28935227970	2/18/2008	3/31/2008	89209	190752	206202	73760	40000
3	Q1	A		12/22/2008	58	28994329225	2/18/2008	3/31/2008	89209	186452	206202	69460	40000
3	Q2	N		7/15/2008	9	28991477183	4/01/2008	6/30/2008	0	8000	15251	7251-	0
3	Q2	A		11/06/2008	13	28993101185	4/01/2008	6/30/2008	73010	8000	74125	6884	25000
3	Q2	A		12/22/2008	13	28935228029	4/01/2008	6/30/2008	69460	7250	74125	2584	25000
3	Q3	N		10/15/2008	5	28992618049	7/01/2008	9/30/2008	41346	193	50	41489	40000
3	Q3	A		11/06/2008	7	28934204611	7/01/2008	9/30/2008	6884	250	62	7071	25000
3	Q3	A		3/02/2009	8	29991635141	7/01/2008	9/30/2008	2584	250	62	2771	25000
3	YE	N		1/30/2009	7	29990928518	10/01/2008	12/31/2008	2771	0	0	2771	25000

Attachment 1

SAWYER, PAUL B ID #H8LA06105

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FORM TYPE	RPT TYPE AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
						TOTAL		309158	306385		

29190281552

Attachment 1

Paul Sawyer for Congress (C00444711)
2008 April Quarterly Report/Amended 2008 April Quarterly Report, received 12/22/08

Overview of Additional Receipts

Report Line	Original 2008 April Quarterly Report (Image 28990846468)	Amended 2008 April Quarterly Report, filed 12/22/08 (Image 28994329227)	Receipt Variance Amount
Line 11(a)(i): Individual Contributions (Itemized)	$43,575.00	$110,575.00	$67,000.00
Line 11(a)(ii): Individual Contributions (Unitemized)	$5,290.00	$2,360.50	($2,929.50)
Line 11(c): Other Political Committee Contributions	$3,500.00	$33,000.00	$29,500.00
Line 11(d): Contributions from the Candidate	$0.00	$240.00	$240.00
Total			**$93,810.50**

Overview of Additional Disbursements

Report Line	Original 2008 April Quarterly Report, (Image 28990846468)	Amended 2008 April Quarterly Report, filed 12/22/08 (Image 28994329228)	Disbursement Variance Amount
Line 17: Operating Expenditures	$69,292.52	$205,802.62	$136,510.10
Line 20(a): Refunds of Individual Contributions	$0.00	$400.00	$400.00
Total			**$136,910.10**

Total Amount of Additional Receipts and Disbursements: $230,720.60.

Attachment 2