

REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: June 30, 2009

ANALYST: Allen Norfleet

- I. COMMITTEE: Wicker Mississippi Victory Committee
C00452003
Arnie Hederman, Treasurer
825 North President Street
Jackson, MS 39202
- II. RELEVANT STATUTES: 2 U.S.C. §434(b)(2)
2 U.S.C. §434(b)(4)(C)
11 CFR §104.3(a)(2)
11 CFR §104.3(b)(1)(ii)
- III. BACKGROUND:

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

The Wicker Mississippi Victory Committee (“the Committee”) amended its 2008 October Quarterly Report to disclose additional receipts of \$203,247.19. The Committee also amended its 2008 12 Day Pre-General Report to disclose additional disbursements of \$182,480.00 (Attachment 2).

2008 October Quarterly Report

On October 15, 2008, the Committee filed a 2008 October Quarterly Report covering the reporting period from July 1, 2008 to September 30, 2008. The report disclosed \$82,850.00 on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other than Political Committees), \$4,700.00 on Line 11(a)(ii) (Unitemized Contributions from Individuals/Persons Other than Political Committees), \$0.00 on Line 11(b) (Contributions from Political Party Committees), \$11,000.00 on Line 11(c) (Contributions from Other Political Committees (such as PACs)), and \$1,000.00 on Line 17 (Other Federal Receipts) of the Detailed Summary Page (Image 28992569567; Attachment 2).

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On December 4, 2008, the Committee filed an Amended 2008 October Quarterly Report which disclosed \$258,275.00 on Line 11(a)(i); \$5,050.00 on Line 11(a)(ii); \$2,000.00 on Line 11(b); \$36,000.00 on Line 11(c); and \$1,472.19 on Line 17 of the Detailed Summary Page (Image 28993365970; Attachment 2).

On the same day, Arnie Hederman, Committee Treasurer, called the Reports Analysis Division (RAD) Analyst to explain that \$300,000.00 of activity had not been reported on the Committee's 2008 October Quarterly Report. Mr. Hederman said he had filed an amendment to the referenced report. The Analyst informed Mr. Hederman that the Committee may receive a Request for Additional Information ("RFAI") regarding the additional activity and recommended that the Committee file a Miscellaneous Electronic Submission (FEC FORM 99) clarifying the increase in activity (Attachment 3).

On December 9, 2008, the Committee filed a FEC FORM 99, which stated in part,

"The Wicker Mississippi Victory Committee had a clerical error on the October 15th Quarterly Report. The receipts for July and August were not entered into the system and was [sic] not discovered until filing the Post General report when the cash on hand was showing a negative [sic] amount. I have amended the October Quarterly and Pre-General reports to reflect the changes" (Image 28993925524).

On January 11, 2009, the Committee filed an Amended 2008 October Quarterly Report. This report disclosed no change in the amount of receipts and disbursements as disclosed on the Amended 2008 October Quarterly Report, received December 4, 2008 (Image 29990045515).

On February 11, 2009, an RFAI was sent to the Committee referencing the Amended 2008 October Quarterly Report, received January 11, 2009. Among other issues, the RFAI requested clarification regarding the additional receipts totaling \$203,247.19 disclosed on Lines 11(a)(i), 11(a)(ii), 11(b), 11(c), and 17 of the Detailed Summary Page that were not disclosed on the original 2008 October Quarterly Report (Image 29030024605).

On February 25, 2009, the Committee filed a FEC FORM 99, which stated, in part:

"The Wicker Mississippi Victory Committee had a clerical error on the October 15th Quarterly Report. The receipts for July and August were not entered into the system, and this error was not discovered until we filed the Post General report when the cash on hand reflected a negative amount. Once the error was discovered, an amendment was filed on December 3, 2008 and reported to the FEC on Form 99 on December 9, 2008.

After the October Quarterly amendment it was discovered that a JF transfer to the MS Republican Party Victory 2008 had the incorrect date attached. The changes were made and an amendment to the Pre-General report was filed on December 3, 2008 reflecting the changes.

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I apologize for these errors and have corrected the mistakes. In no way were these errors intentional and, once discovered, immediately corrected and reported" (Image 29932312900.

On March 19, 2009, the Analyst left a message for Mr. Hederman informing him that the Committee may be referred for further Commission action in reference to the increase in receipts on the Amended 2008 October Quarterly Report, among other issues. Subsequently, Mr. Hederman left a message for the Analyst stating he had questions about the voice mail left by the Analyst (Attachment 3).

On March 20, 2009, the Analyst returned Mr. Hederman's call and explained that the Committee had an opportunity to place additional information on the public record before being referred for further action (Attachment 3). The Committee did not submit any additional information.

2008 12 Day Pre-General Report

On October 23, 2008, the Committee filed a 12 Day Pre-General Report covering the reporting period from October 1, 2008 to October 15, 2008. The report disclosed \$0.00 on Line 22 (Transfers to Affiliated/Other Party Committees) of the Detailed Summary Page (Image 28993016172; Attachment 2).

On December 4, 2008, the Committee filed an Amended 12 Day Pre-General Report, which disclosed \$182,480.00 on Line 22 of the Detailed Summary Page (Image 28993366024; Attachment 2).

On December 9, 2008, the Committee filed a FEC FORM 99, which stated in part,

"The Wicker Mississippi Victory Committee had a clerical error on the October 15th Quarterly Report. The receipts for July and August were not entered into the system and was [*sic*] not discovered until filing the Post General report when the cash on hand was showing a negative [*sic*] amount. I have amended the October Quarterly and Pre-General reports to reflect the changes" (Image 28993925524).

On February 11, 2009, an RFAI was sent to the Committee referencing the Amended 12 Day Pre-General Report, received December 4, 2008. The RFAI requested clarification regarding the \$182,480.00 in additional disbursements on Line 22 of the Detailed Summary Page that were not disclosed on the original 2008 12 Day Pre-General Report (Image 29030024602).

On February 25, 2009, the Committee filed a FEC FORM 99, which stated, in part:

"The Wicker Mississippi Victory Committee had a clerical error on the October 15th Quarterly Report. The receipts for July and August were not entered into the system, and this error was not discovered until we filed the Post General report when the cash on hand reflected a negative amount. Once

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the error was discovered, an amendment was filed on December 3, 2008 and reported to the FEC on Form 99 on December 9, 2008.

After the October Quarterly amendment it was discovered that a JF transfer to the MS Republican Party Victory 2008 had the incorrect date attached. The changes were made and an amendment to the Pre-General report was filed on December 3, 2008 reflecting the changes.

I apologize for these errors and have corrected the mistakes. In no way were these errors intentional and, once discovered, immediately corrected and reported" (Image 29932312900).

On March 19, 2009, the Analyst left a message for Mr. Hederman informing him that the Committee may be referred for further Commission action in reference to the increase in disbursements on the Amended 2008 12 Day Pre-General Report, among other issues. Subsequently, Mr. Hederman left a message for the Analyst stating he had questions about the voice mail left by the Analyst (Attachment 3).

On March 20, 2009, the Analyst returned Mr. Hederman's call and explained that the Committee had an opportunity to place additional information on the public record before being referred for further action (Attachment 3).

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

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