

REPORTS ANALYSIS DIVISION REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: September 29, 2015

ANALYST: Vicki Davis

I. COMMITTEE: Vanila Singh for Congress 2014
C00554204
Thomas E. Montgomery III, Treasurer
P.O. Box 14037
Fremont, CA 94539

II. RELEVANT STATUTES: 52 U.S.C. § 30116(a)
11 CFR § 102.9(e)
11 CFR § 110.1(b)

III. BACKGROUND:

Excessive, Prohibited and Other Impermissible Contributions: Failure to Refund, Redesignate, or Reattribute Excessive and Prohibited Contributions Within the Permissible Timeframe

Vanila Singh for Congress 2014 ("the Committee") received 2014 General Election contributions totaling \$30,755.00 from thirteen (13) individuals that were not refunded or redesignated within the permissible timeframe from the date Vanila Singh ("the Candidate") lost in the 2014 Primary Election. The contributions were disclosed on the 2013 Year-End, 2014 April Quarterly, and 2014 12 Day Pre-Primary Reports (Attachment 2).

2013 Year-End Report

On January 27, 2014, the Committee filed the 2013 Year-End Report covering the period from October 1, 2013 to December 31, 2013 (Image 14940121670). This report disclosed the receipt of 2014 General Election contributions totaling \$17,200.00 from six (6) individuals and one (1) corporation (Attachment 2).

On January 31, 2014, the Committee filed an Amended 2013 Year-End Report. This report disclosed no change regarding the receipt of General Election contributions from the original report (Image 14940318581).

On March 13, 2014, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2013 Year-End Report, received January 31, 2014. Among other issues, the RFAI noted the Committee's receipt of the apparently prohibited General Election contribution from a corporation and requested that the Committee take corrective action (Image 14330047150).

On April 15, 2014, the Committee filed the 2014 April Quarterly Report covering the period from January 1, 2014 to March 31, 2014 (Image 14960788895). This report disclosed the refund of the \$2,400.00 General Election contribution from a corporation that was made within the permissible refund timeframe.

On June 3, 2014, the Candidate lost in the Primary Election for California's 17th Congressional District.

On October 15, 2014, the Committee filed the 2014 October Quarterly Report covering the period from July 1, 2014 to September 30, 2014 (Image 14978268517). This report disclosed refunds totaling \$10,000.00 for General Election contributions received during the 2013 Year-End reporting period from four (4) individuals, made outside the permissible timeframe (Attachment 2).

On May 19, 2015, the Committee filed a Miscellaneous Paper Document ("FEC Form 99") outlining the corrective action taken regarding the outstanding General Election contributions that were not previously remedied (Image 15951403357). The refunds were made outside the permissible timeframe (Attachment 2).

On May 28, 2015¹, the Committee filed an FEC Form 99 that included copies of refund checks totaling \$4,800.00 for General Election contributions from two (2) individuals mentioned in the May 19, 2015 FEC Form 99 (Image 15031430415).

On July 7, 2015, the Committee filed a 2015 July Quarterly Report covering the period from April 1, 2015 to June 30, 2015. This report disclosed refunds totaling \$4,800.00 for General Election contributions received during the 2013 Year-End reporting period from two (2) individuals, made outside the permissible timeframe (Attachment 2).

2014 April Quarterly Report

On April 15, 2014, the Committee filed the 2014 April Quarterly Report covering the period from January 1, 2014 to March 31, 2014 (Image 14960788895). This report disclosed the receipt of 2014 General Election contributions totaling \$8,130.00 from six (6) individuals (Attachment 2).

¹ The Form 99 is a faxed document that was submitted on May 19, 2015, received by RAD on May 20, 2015, and appears on the public record with a receipt date of May 28, 2015.

On October 15, 2014, the Committee filed the 2014 October Quarterly Report covering the period from July 1, 2014 to September 30, 2014 (Image 14978268517). This report disclosed a \$2,600.00 refund made within the permissible timeframe to one (1) individual for a 2014 General Election contribution received during the 2014 April Quarterly reporting period. The report also disclosed refunds totaling \$2,405.00 made outside the permissible timeframe to two (2) individuals for 2014 General Election contributions received during the 2014 April Quarterly period (Attachment 2).

On May 19, 2015, the Committee filed an FEC Form 99 (Image 15951403357). The Form 99 stated, in part:

"The following were reattributed to spouses as was the original intent:

Manchikanti, Laxmaiah (Chandrakala) \$2500
Mann, Dharam (Sunita) \$2600
McKeen, Robert (Susan) \$2400" (Image 15951403357).

On the same date, the Committee filed an Amended 2014 April Quarterly Report (Image 15951403540). This report disclosed a reattribution of the January 27, 2014 contribution in the amount of \$2,400.00 from Robert McKeen to Susan McKeen, as indicated in the May 19, 2015 FEC Form 99.

2014 12 Day Pre-Primary Report

On May 22, 2014, the Committee filed the 2014 12 Day Pre-Primary Report covering the period from April 1, 2014 to May 14, 2014 (Image 14941254635). This report disclosed the receipt of 2014 General Election contributions totaling \$5,200.00 from two (2) individuals.

On August 4, 2014, the Committee filed an Amended 2014 12 Day Pre-Primary Report (Image 14962173091). This report disclosed data entry corrections that included the redesignation of 2014 Primary Election contributions to the 2014 General Election, totaling \$12,825.00 from five (5) individuals, in addition to the General Election contributions disclosed on the original report (Attachment 2).

On October 15, 2014, the Committee filed the 2014 October Quarterly Report covering the period from July 1, 2014 to September 30, 2014 (Image 14978268517). Among other refunds, this report disclosed refunds totaling \$5,200.00 made outside the permissible timeframe to two (2) individuals for 2014 General Election contributions received during the 2014 12 Day Pre-Primary reporting period (Attachment 2).

On February 2, 2015, an RFAI was sent to the Committee referencing the 2014 October Quarterly Report. The RFAI noted the Committee's receipt of General Election contributions throughout the 2014 election cycle and requested that the Committee refund the contributions since the Candidate would not participate in the General Election (Image 15330073272).

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On March 10, 2015 and May 12, 2015, the Reports Analysis Division (RAD) Analyst spoke to the Treasurer, Thomas E. Montgomery III, regarding the General Election contributions received during the 2013-2014 election cycle. The Analyst explained that General Election contributions not refunded or refunded late may be referred for further Commission action. The Analyst encouraged the Committee to take additional corrective action and provide an explanation for the public record (Attachment 3).

On May 19, 2015, the Committee filed an FEC Form 99 outlining the corrective action taken regarding the 2014 General Election contributions. The refunds were made outside the permissible timeframe (Attachment 2). In addition, the Form 99 stated that the contribution in the amount of \$2,500.00 from Laxmaiah Manchikanti was reattributed to Chandrakala Manchikanti, the contribution in the amount of \$2,600.00 from Dharam Mann was reattributed to Sunita Mann, per the contributors' original intent² (Image 15951403357).

On the same date, the Committee filed an Amended 2014 12 Day Pre-Primary Report (Image 15970710184). This report disclosed reattribution of contributions totaling \$5,200.00 from two (2) individuals, as indicated in the May 19, 2015 FEC Form 99.

On May 28, 2015³, the Committee filed an FEC Form 99 that included copies of refund checks with respect to the 2014 General Election contributions mentioned in the May 19, 2015 Form 99. The Form 99 stated, in part, "Please see attached check copies of what was paid back on April 4. Three other checks where reattributed [sic] to spouses."⁴ The Form 99 also disclosed copies of refund checks totaling \$7,725.00 to three (3) individuals who had made 2014 General Election contributions during the 12 Day Pre-Primary reporting period (Image 15031430415).

On July 7, 2015, the RAD Analyst called Mr. Montgomery to confirm the corrective action taken in regards to the reattributed contributions from three (3) individuals detailed in the May 19, 2015 FEC Form 99 (Attachment 3).

On July 7, 2015, the Committee filed a 2015 July Quarterly Report covering the period from April 1, 2015 to June 30, 2015. This report disclosed refunds totaling \$7,725.00 for General Election contributions received during the 2014 12 Day Pre-Primary reporting period from three (3) individuals, made outside the permissible timeframe (Attachment 2).

² The Committee subsequently confirmed these contributions were redesignated toward Ms. Manchikanti and Ms. Mann's respective 2014 Primary Election limits.

³ The Form 99 is a faxed document that was submitted on May 19, 2015, received by RAD on May 20, 2015, and appears on the public record with a receipt date of May 28, 2015.

⁴ The reattributed checks were designated to the 2014 General Election, and still required timely refunds.

To date, no further communications have been received from the Committee regarding this matter.

161-1900-10

Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Ing#	End Cvg Dt	Ltr/Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T			5/19/2015	1	15951403357									
MS-T			5/28/2015	9	15031430415									
F3N	Q1	N	4/14/2015	16	15970343416	1/1/2015	3/31/2015		\$2,976	\$1,718	\$4,598	\$95	\$12,214	\$115,650
F3A	Q1	A	5/19/2015	14	15951403863	1/1/2015	3/31/2015		\$2,976	\$1,718	\$4,598	\$95	\$115,650	\$115,650
F3N	Q2	N	7/7/2015	26	2015070900062406	4/1/2015	6/30/2015		\$95	\$12,950	\$13,033	\$11	\$1	\$1
F3A	Q2	A	7/7/2015	26	2015070900062695	4/1/2015	6/30/2015		\$95	\$12,950	\$13,033	\$11	\$1	\$1
Totals									\$14,668	\$17,632				\$2,950

Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Ing#	End Cvg Dt	Ltr/Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T			8/4/2014	1	14962173158									
MS-T			8/13/2014	1	14970077302									
RQ2	YE	A	3/13/2014	4	14330047150	10/1/2013	12/31/2013		\$0	\$108,201	\$915	\$107,286		\$30,000
RQ2	12P	N	6/28/2014	5	14330054239	4/1/2014	5/14/2014		\$0	\$108,201	\$915	\$107,286		\$5,000
RQ2	Q2	A	8/6/2014	2	14330059007	5/15/2014	6/30/2014		\$0	\$107,286	\$224,110	\$30,973	\$300,422	\$0
RQ2	Q3	N	2/2/2015	5	15330073272	7/1/2014	9/30/2014		\$0	\$107,286	\$224,110	\$30,973	\$300,422	\$0
F3N	YE	N	1/2/2014	24	14940121670	10/1/2013	12/31/2013		\$0	\$108,201	\$915	\$107,286		\$30,000
F3A	YE	A	1/3/2014	24	14940318561	10/1/2013	12/31/2013		\$0	\$108,201	\$915	\$107,286		\$30,000
F3N	Q1	N	4/15/2014	73	14960788895	11/20/2014	3/31/2014		\$0	\$107,286	\$224,110	\$30,973	\$300,422	\$0
F3A	Q1	A	5/19/2015	73	15951403540	1/1/2014	3/31/2014		\$0	\$107,286	\$224,110	\$30,973	\$300,422	\$0
F3N	12P	N	5/22/2014	58	14941254635	4/1/2014	5/14/2014		\$0	\$300,422	\$96,259	\$184,881	\$211,799	\$2,214
F3A	12P	A	8/4/2014	58	14962173091	4/1/2014	5/14/2014		\$0	\$300,422	\$96,629	\$184,881	\$212,169	\$2,214
F3A	12P	A	5/19/2015	60	15970710184	4/1/2014	5/14/2014		\$0	\$300,422	\$96,843	\$185,095	\$212,169	\$0
F3N	Q2	N	7/15/2014	46	14941837533	5/15/2014	6/30/2014		\$0	\$212,169	\$46,299	\$220,211	\$38,257	\$2,214
F3A	Q2	A	8/4/2014	46	14942173091	5/14/2014	6/30/2014		\$0	\$212,169	\$46,299	\$220,211	\$38,257	\$2,214
F3A	Q2	A	8/13/2014	46	1495001137	5/15/2014	6/30/2014		\$0	\$212,169	\$46,299	\$220,211	\$38,257	\$2,214
F3A	Q2	A	5/19/2015	44	14951403712	5/15/2014	6/30/2014		\$0	\$212,169	\$46,299	\$220,211	\$38,257	\$2,214
F3N	Q3	N	10/15/2014	20	1497268517	7/1/2014	9/30/2014		\$0	\$38,257	\$18,974	\$36,204	\$1,027	\$2,214
F3A	Q3	A	5/19/2015	18	15951403756	7/1/2014	9/30/2014		\$0	\$38,257	\$18,974	\$36,204	\$1,027	\$114,000
F3N	12G	N	10/16/2014	11	14978433423	10/1/2014	10/15/2014		\$0	\$1,027	\$0	\$1,027	\$2,214	\$114,000
F3A	12G	A	5/19/2015	9	15951403774	10/1/2014	10/15/2014		\$0	\$1,027	\$0	\$1,027	\$0	\$114,000
F3N	30G	N	12/6/2014	13	14952920080	10/16/2014	11/24/2014		\$0	\$1,027	\$0	\$42	\$985	\$2,214
F3A	30G	A	1/24/2015	11	15950079193	10/16/2014	11/24/2014		\$0	\$1,027	\$0	\$42	\$985	\$2,214
F3A	30G	A	5/19/2015	9	15951403793	10/16/2014	11/24/2014		\$0	\$1,027	\$0	\$42	\$985	\$2,214
F3N	YE	N	1/24/2015	13	15950079180	11/25/2014	12/31/2014		\$0	\$985	\$2,930	\$940	\$2,976	\$114,000
F3A	YE	A	1/24/2015	13	15950079204	11/25/2014	12/31/2014		\$0	\$985	\$2,930	\$940	\$2,976	\$114,000
F3A	YE	A	5/19/2015	11	15951403792	11/25/2014	12/31/2014		\$0	\$985	\$2,930	\$940	\$2,976	\$114,000
F2	N		12/26/2013	3	13031144694									
F1	N		1/6/2014	6	14031150273									
F6N			5/15/2014	1	14941215272									
F6N			5/23/2014	1	14941265762									

O-Index (2013-2014)
Cmte. ID: C00554204 Cmte. Name: VANILA SINGH FOR CONGRESS 2014

Treasurer Name: MONTGOMERY, THOMAS E M.R. III Address: PO BOX 14037, FREMONT, CA 94539

Cmte. Type: H (HOUSE) Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE)

O-Index (2013-2014)
Cmte. ID: C00554204 Cmte. Name: VANILA SINGH FOR CONGRESS 2014

Treasurer Name: MONTGOMERY, THOMAS E M.R. III Address: PO BOX 14037, FREMONT, CA 94539

Cmte. Type: H (HOUSE) Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE)

Vanilla Singh for Congress 2014 (C00554204)
2014 General Election Contributions Refunded Outside Permissible Timeframes

Contributor Name	Date	Amount	Amount Refunded Within Timeframe	Amount Not Refunded Outside of Timeframe	Refunded Outside of Timeframe	Refunded # Days After 6/3/14 Primary
Adie, Elizabeth	3/31/2014	\$400.00	\$400.00	\$400.00	\$400.00	305
Jerath, Kunal	2/10/2014	\$5.00	\$5.00	\$5.00	\$5.00	90
Jerath, Kunal	4/1/2014	\$2,600.00	\$2,600.00	\$2,600.00	\$2,600.00	90
Jerath, Lynn	4/1/2014	\$2,600.00	\$2,600.00	\$2,600.00	\$2,600.00	90
Kilaru, Prasad	12/30/2013	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	305
Kilaru, Risha	12/30/2013	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	305
Mathur, Lalit	4/1/2014	\$25.00	\$25.00	\$25.00	\$25.00	305
Mathur, Lalit	4/1/2014	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	305
Mathur, Leela	3/31/2014	\$2,325.00	\$2,325.00	\$100.00 ¹	\$100.00 ¹	305
Mathur, Leela	4/1/2014	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	305
Peruvemba, Alka	12/31/2013	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	90
Peruvemba, Ram	12/31/2013	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	90
Pinnamaneni, Ramakrishna	3/20/2014	\$400.00	\$400.00 ²	\$400.00	\$400.00	90
Poonia, Amit	5/4/2014	\$2,600.00	\$2,600.00	\$2,600.00	\$2,600.00	305
Singh, Baikunth	12/30/2013	\$2,600.00	\$2,600.00	\$2,600.00	\$2,600.00	90

¹ Leela Mathur made two contributions toward the 2014 General Election in the amounts of \$2,325.00 on 3/31/14 and \$2,500.00 on 4/1/14. The Committee stated in the FEC Form 99 filed on 5/19/15 that a refund in the amount of \$2,600.00 was issued to the contributor on 4/4/15. RAD is applying \$2,500.00 of that refund to the 4/1/14 contribution and \$100.00 to the 3/31/14 contribution for the purposes of this referral.

² The Amended 2014 October Quarterly Report, received 5/19/15, discloses a refund of \$2,400.00 to Ramakrishna Pinnamaneni designated toward the 2014 General Election. According to 2013-2014 Committee filings, this individual contributed \$2,400.00 to the 2014 Primary Election and \$400.00 to the 2014 General Election. RAD is applying \$400.00 of the refund to the 3/20/14 General Election for the purposes of this referral.

Singh, Mridula	12/30/2013	\$2,600.00	\$2,600.00	\$2,600.00	90
Total Amount Not Refunded/Redesignated within Permissible Timeframe: \$30,755.00					