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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463**SENSITIVE****MEMORANDUM**

December 2, 2019

TO: The Commission

THROUGH: Alec Palmer *AP my nHAK*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Krista J. Roche *KJR*  
Director, ADR Office

Rosa Marshall *RM*  
Assistant Director, ADR Office

SUBJECT: Recommendation to Approve Negotiated Settlement  
ADR 921 — Scalise for Congress (C00394957) and  
Benjamin Ottenhoff, Treasurer

RESOLUTION TERMS: Certify that a representative participates in an FEC training  
program and pay a civil penalty of \$2,300.

Attached for your review is a signed Negotiated Settlement pertaining to ADR 921 (RAD 19L-19). The ADR Office received this referral on July 15, 2019.

**SUMMARY:** The Reports Analysis Division (RAD) referred Scalise for Congress and Benjamin Ottenhoff, Treasurer (Respondents or the Committee) for failing to timely refund or redesignate 2018 General Election contributions in excess of the limits and prohibited contributions totaling \$30,740. All contributions have been refunded, albeit untimely.

The Committee filed three (3) Form 99s (Miscellaneous Electronic Submission) on January 27, 2019 listing the corrective action taken for the excessive and prohibited contributions received during the 2018 General Election. Respondents state that the Committee has implemented a procedure to flag excessive contributions to ensure future compliance. The procedure entails checking the Committee's database for both duplicate entries and

contributions that exceed the limit on a weekly basis. For any contribution over the limit that requires a refund, the Committee begins processing a refund based on the payment method of the original contribution.

**RECOMMENDATIONS:**

1. Approve the attached negotiated settlement of Scalise for Congress and Benjamin Ottenhoff, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.