



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

Brian Svoboda, Esq.
Perkins Coie LLP
607 Fourteenth Street N.W.
Washington, D.C. 20005-2011

SEP - 6 2007

RE: MUR 5741
Charlie Melancon Campaign Committee

Dear Mr. Svoboda:

On Friday, August 31, 2007, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(b), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,


Kimberly D. Hart
Attorney

Enclosure
Conciliation Agreement

28044183574

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Charlie Melancon Campaign Committee
and Jess Waguespack, in his official
capacity as treasurer

MUR 5741

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COMMISSION
OFFICE OF GENERAL
COUNSEL
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CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. After examining the facts and circumstances of this matter, the Commission found probable cause to believe that Charlie Melancon Campaign Committee and Jess Waguespack, in his official capacity as treasurer, ("Respondents") violated 2 U.S.C. § 434(b)(4).

NOW, THEREFORE, the Commission and the Respondents, having duly entered in conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding.
- II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondents enter voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:

1. Charlie Melancon Campaign Committee is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Jess Waguespack is the treasurer of Charlie Melancon Campaign Committee.

3. Charlie Melancon Campaign Committee is the authorized committee of Charles Melancon, a 2004 candidate for the U.S. House of Representatives in Louisiana.

4. Respondent Waguespack filed the Committee's 2004 30 Day Post-Runoff Report on January 3, 2005, and reported disbursements of \$50,971.78 covering the period from November 15, 2004 to December 24, 2004.

5. Respondent Waguespack, on January 31, 2005, filed an amended 2004 30 Day Post-Runoff Report, and reported \$656,823.30 in additional disbursements covering the same period.

6. The additional disbursements represent a 1,289% increase in activity from the original report and represented approximately 92.8% of the Committee's disbursements for the period.

7. The Committee stated that the reason for the increased activity was a change in the staff, including the individual who originally handled the reporting. The person who prepared the report did so at the last minute and worked with data entered by the old staff without having an opportunity to independently verify the information. In addition, the Committee stated that, upon discovery of missing information, it quickly investigated the matter and amended the report in a matter of days.

8. The treasurer of a political committee must file reports of all receipts and disbursements in accordance with the Federal Election Campaign Act of 1971 as amended. 2 U.S.C. § 434(a)(1).

9. A political committee is required to file a post-general election report no later than the 30th day after any general election in which the candidate has sought election, and which shall be complete as of the 20th day after such general election. 2 U.S.C.

§ 434(a)(2)(A)(ii). The report shall disclose, *inter alia*, the total amount of disbursements, and an itemization of all disbursements, including expenditures made to meet the candidate's or committee's operating expenses. 2 U.S.C. § 434(b)(4)(A); 11 C.F.R. § 104.3(b)(2)(i).

10. The Committee did not comply with reporting requirements when it failed to disclose the \$656,823.30 in disbursements on the original 2004 30 Day Post-Runoff Report filed on January 3, 2005. The earliest amendment to the report was filed 28 days later.

V. Respondents failed to report disbursements totaling \$656,823.30 on their 2004 30 Day Post-Runoff Report in violation of 2 U.S.C. § 434(b). Respondents will cease and desist from violating 2 U.S.C. § 434(b).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Forty-Two Thousand Dollars (\$42,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.


VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

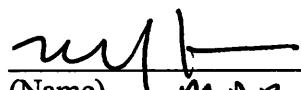
FOR THE COMMISSION:

Thomasenia P. Duncan
General Counsel

BY: 
Ann Marie Terzaken
Acting Associate General Counsel
for Enforcement

9/6/07
Date

FOR THE RESPONDENTS:


(Name) MARY C. Hoffman
(Position) custodian of Records

8-20-07
Date

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