



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

NOV. 17 2017

Virgin Islands Republican Party  
Scott B. Mackenzie, Treasurer  
P.O. Box 295  
Christiansted, VI 00821

RE: AR 17-11R

Dear Mr. Mackenzie:

The Federal Election Commission ("Commission") has ascertained information in the normal course of carrying out its supervisory responsibilities indicating that Virgin Islands Republican Party and you, in your official capacity as treasurer ("Committee"), may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). The Committee has been referred by the Commission to the Office of General Counsel for possible enforcement action under 52 U.S.C. § 30109.<sup>1</sup> Specifically, the Committee has been referred for the following issues that may be in violation of the Act and Commission regulations:

1. 2016 March Monthly Report: Schedule A supporting Line 11(a)(i) disclosed the receipt of excessive contributions totaling \$7,750.00, or 4.4% of the Committee's total contributions from individuals. These contributions were received from three (3) individuals.
2. 2016 Amended April Monthly Report: Schedule A supporting Line 11(a)(i) disclosed the receipt of excessive contributions totaling \$3,700.00, or 3.4% of the Committee's total contributions from individuals. These contributions were received from two (2) individuals.
3. 2016 August Monthly Report: Schedule A supporting Line 11(a)(i) disclosed the receipt of excessive contributions totaling \$4,100.00, or 2.3% of the Committee's total contributions from individuals. These contributions were received from two (2) individuals.
4. 2016 Amended May Monthly Report: Schedule E supporting Line 24 contained activity outside of the reporting period totaling \$77,086.25.
5. 2016 August Monthly Report: Schedule E supporting Line 24 disclosed memo entries totaling \$105,619.25 that did not appear to correspond with any itemized transaction(s).
6. 2016 September Monthly Report: Schedule E supporting Line 24 contained activity outside of the reporting period totaling \$69,925.40.
7. 2016 12 Day Pre-General Report: Schedule E supporting Line 24 disclosed memo entries totaling \$56,252.81 that did not appear to correspond with any itemized transaction(s).
8. 2016 March Monthly Report: Schedule E disclosed memo entries for three (3) independent expenditures totaling \$20,000.00, which were publicly disseminated prior

<sup>1</sup> Notification of this referral is being provided to you pursuant to the Commission's Agency Procedure for Notice to Respondents in Non-Complaint Generated Matters, as published in the Federal Register on August 4, 2009 (74 Fed. Reg. 38,617).

- to payment but failed to disclose a debt on Schedule D.
9. 2016 Amended April Monthly Report: The Committee failed to file a required 48-Hour Report for \$40,202.16 in independent expenditures disclosed on Schedule E.
  10. 2016 Amended May Monthly Report: The Committee failed to file a required 48-Hour Report for \$31,792.87 in independent expenditures disclosed on Schedule E.
  11. 2016 June Monthly Report: The Committee failed to provide a Schedule E for one hundred fifty-nine (159) independent expenditures totaling \$77,086.21 disclosed on five (5) 48-Hour Reports. The Committee failed to file a required 48-Hour Report for \$20,262.02 in independent expenditures disclosed on Schedule E.
  12. 2016 July Monthly Report: The Committee failed to provide a Schedule E for forty-two (42) independent expenditures totaling \$15,092.14 disclosed on three (3) 48-Hour Reports. The Committee failed to file a required 48-Hour Report for \$35,676.19 in independent expenditures disclosed on Schedule E.
  13. 2016 August Monthly Report: The Committee failed to provide a Schedule E for one (1) independent expenditure totaling \$13,115.24 disclosed on one (1) 48-Hour Report. The Committee failed to file a required 48-Hour Report for \$72,201.31 in independent expenditures disclosed on Schedule E.
  14. 2016 September Monthly Report: Schedule E disclosed memo entries for thirty-eight (38) independent expenditures totaling \$160,338.65, which were publicly disseminated prior to payment but failed to disclose a debt on Schedule D. These memo entries did not appear to correspond with any itemized transaction(s).
  15. 2016 October Monthly Report: The Committee failed to provide a Schedule E for four (4) independent expenditures totaling \$49,082.35 disclosed on two (2) 48-Hour Reports. Schedule E disclosed memo entries for twelve (12) independent expenditures totaling \$153,818.36, which were publicly disseminated prior to payment but failed to disclose a debt on Schedule D. These memo entries did not appear to correspond with any itemized transaction(s). The Committee failed to file a required 48-Hour Report for \$140,525.35 in independent expenditures disclosed on Schedule E.
  16. 2016 Amended 30 Day Post-General Report: Schedule E disclosed memo entries for ten (10) independent expenditures totaling \$32,658.18, which were publicly disseminated prior to payment but failed to disclose a debt on Schedule D. These memo entries did not appear to correspond with any itemized transaction(s). The Committee failed to file a required 48-Hour Report for \$9,754.71 in independent expenditures disclosed on Schedule E.
  17. 2016 October Monthly Report: Schedule A supporting Line 11(a)(i) failed to disclose adequate identification for 170 of 843, or 20.2%, of the contributions from individuals that require itemization.
  18. 2016 August Monthly Report: Schedule B supporting Line 21(b) failed to provide clarifying information or the original vendor(s) regarding one (1) reimbursement to an individual totaling \$12,828.55.
  19. 2016 Amended 30 Day Post-General Report: Schedule B supporting Line 29 failed to provide clarifying information or the original vendor(s) regarding two (2) reimbursements to one (1) individual totaling \$25,867.12.
  20. 2016 Amended April Monthly Report: Schedule E failed to disclose the correct office sought, state, and district of federal candidates and correct election designations for ten (10) independent expenditures totaling \$14,934.42.

We have numbered this referral AR 17-11R.

AR 17-11R

Page 3 of 4

The Act affords you the opportunity to demonstrate in writing that no action should be taken against Virgin Islands Republican Party and you, in your official capacity as treasurer, in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 52 U.S.C. §§ 30109(a)(4)(B) and 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.<sup>2</sup>

Please note that you have a legal obligation to preserve all documents, records, and materials relating to the subject matter of the referral until such time as you are notified that the Commission has closed its file in this matter. *See* 18 U.S.C. § 1519.

Any correspondence sent to the Commission, such as a response, must be addressed to **one** of the following (note, if submitting via email this Office will provide an electronic receipt by email):

**Mail**  
Federal Election Commission  
Office of Complaints Examination  
and Legal Administration  
Attn: Christal Dennis, Paralegal  
999 E Street, NW  
Washington, DC 20463

OR  
**Email**  
CELA@fec.gov

---

<sup>2</sup> The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).

AR 17-11R  
Page 4 of 4

If you have any questions, please contact Christal Dennis at (202) 694-1650 or toll free at 1-800-424-9530. For your information, we have enclosed a brief description of the Commission's preliminary procedures for processing possible violations discovered by the Commission.

Sincerely,

A handwritten signature in cursive script that reads "Jeff S. Jordan (by MBD)". The signature is written in black ink and is positioned to the right of the typed name.

Jeff S. Jordan  
Assistant General Counsel  
Complaints Examination &  
Legal Administration