

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL NO.	
v.	*	SECTION:	
ARLEN B. CENAC, JR	*	VIOLATION:	18 U.S.C. §1001 18 U.S.C. §2
	*		

FACTUAL BASIS

Should this matter have proceeded to trial, the government would have proved the following facts through the introduction of competent testimony and tangible exhibits to establish beyond a reasonable doubt the guilt of the defendant, **ARLEN B. CENAC, JR.**, of Making a False Statement to the Federal Election Commission ("FEC").

The defendant, **ARLEN B. CENAC, JR.**, was the president and sole owner of Cenac Towing Co., Inc. ("Cenac Towing") and numerous other related companies headquartered in or near Houma, Louisiana, a location within the Eastern District of Louisiana. As president and sole owner of Cenac Towing, **ARLEN B. CENAC, JR.** exerted authority and control over certain Cenac Towing bank accounts and the funds within those accounts. Likewise, **ARLEN B. CENAC, JR.** had a personal banking account for which he exercised sole control of the funds.

The Federal Election Campaign Act of 1971, as amended, Title 2, United States Code, Sections 431, et. Seq. ("Election Act"), limited financial influence in the election of candidates for federal office, including the offices of Senator and President, and provided for public disclosure of the financing of federal election campaigns. The Election Act prohibited candidates for federal

office, including the office of United States Senator, from accepting certain types and amounts of donations. Among other things, the Election Act prohibited any person, including any corporation or partnership, from making contributions in the name of another. Additionally, the Election Act prohibited any contributions of corporate general treasury funds. In 2008, the Election Act also limited both primary and general election campaign contributions to \$2,300, for a total of \$4,600, from any individual to any one candidate.

The FEC was an agency and department of the United States with jurisdiction and executive authority to enforce the limits and prohibitions of the Election Act, and to compile and publicly report accurate information about the source and amounts of contributions. The Election Act required candidates for United States Senate to report to the FEC data detailing the amounts and sources of donations made to their campaign accounts or their authorized campaign committees. In submitting this data to the FEC, candidates and their authorized campaign committees relied upon the submissions and information provided to them by their donors.

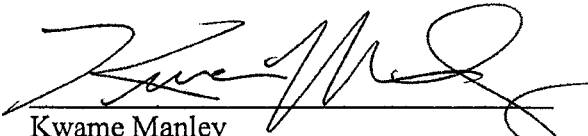
On or about February 4, 2008, **ARLEN B. CENAC, JR.**, contacted the Whitney National Bank in Houma, Louisiana, in order to arrange the purchase of six (6) cashier's checks made payable to the campaign of Senator A. **CENAC** arranged for the delivery of a Cenac Towing corporate check in the amount of \$15,000 to the Whitney Bank for the purchase of the cashier's checks. The remitters of these cashier's checks were individuals with whom **CENAC** was associated professionally, personally, or to whom he was related. These individuals were unaware that **CENAC** had purchased the cashier's checks in their names. After obtaining the cashier's checks from the Whitney Bank, on or about February 16, 2008, **CENAC** then caused the cashier's checks to be submitted to Senator A's campaign. Senator A's campaign accepted the

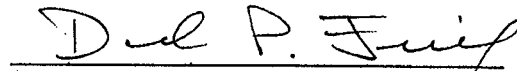
donations, cashed the checks and deposited the funds into Senator A's campaign account.


CENAC did not inform Senator A's campaign that the source of these funds was the general treasury funds of a corporation, nor did he inform the campaign that the individuals listed as remitters on the cashier's checks, had no knowledge of the donations being made in their name and did not authorize CENAC to make such donations. Senator A's campaign was required to report all campaign contributions to the FEC. As a result of the incorrect information provided by CENAC, Senator A's FEC campaign reports contained false donor information.

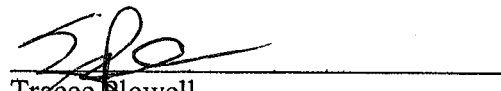
Similarly, on or about April 24, 2008, **ARLEN B. CENAC, JR.**, contacted the Whitney National Bank in Houma, Louisiana, in order to arrange the purchase of six (6) cashier's checks made payable to the campaign of Senator B. CENAC then arranged for the delivery of a personal check in the amount of \$25,300 to the Whitney Bank for the purchase of the cashier's checks. The remitters of four (4) of these cashier's checks were unaware that CENAC had purchased the cashier's checks in their names. After obtaining the cashier's checks from the Whitney Bank, on or about May 21, 2008, CENAC caused the cashier's checks to be submitted to Senator B's campaign. CENAC did not inform Senator B's campaign of the source of these funds, nor did he inform the campaign that the individuals listed as remitters on the cashier's checks had no knowledge of the donations being made in their names and did not authorize CENAC to make such donations.

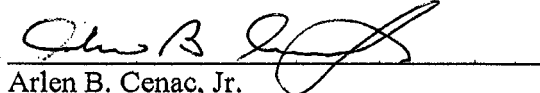
Senator B's campaign was required to report all campaign contributions to the FEC. Senator B's campaign relied on the information on the checks and reported to the FEC its records of the donations it received in April 2008. As a result of the incorrect information provided by CENAC, Senator B's FEC campaign reports contained false donor information.


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Arlen B. Cenac, Jr.
Defendant 5/1/13