



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 11, 2016

SUZANNE E. MARSHALL, TREASURER
KASICH FOR AMERICA
PO BOX 1344
COLUMBUS, OH 43216

Response Due Date
03/17/2016

IDENTIFICATION NUMBER: C00581876

REFERENCE: YEAR-END REPORT (10/01/2015 - 12/31/2015)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 7 item(s):

1. Schedule A-P of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,700 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for

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each option are provided below.

For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing

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and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 28(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B-P of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A-P of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A-P of your report discloses one or more contributions that appear to be from limited liability corporation(s) (LLC) (see attached).

11 C.F.R. §110.1(g) allows the receipt of contributions from LLCs providing the LLC is treated as a partnership for tax purposes, and has not elected to be treated as a corporation by the Internal Revenue Service (IRS). Both LLCs that claim corporate status and those that publicly traded would be treated as corporations for FECA purposes.

Please amend your report to clarify if the LLCs in question are treated as partnerships. If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

52 U.S.C. 30101(11) (formerly 2 U.S.C. §441a(f)) prohibits a candidate for federal office from accepting contributions from a person in excess of \$2,700 per election. For your information, a partnership is included in the definition of "person" under 52 U.S.C. 30101(11) (formerly 2 U.S.C. §431(11)).

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

Please inform the Commission of your corrective action immediately and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B-P supporting Line 28(a) of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

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Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

3. Schedule A-P of your report discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission (see attached).

In order for your committee to accept contributions from unregistered organizations, your committee should take steps to ensure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 52 U.S.C. §§ 30116(f) and 30118 (formerly 2 U.S.C. §§ 441a(f) and 441b) or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: (1) establish a separate account which contains only those funds permitted under the Act, or (2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

Please inform the Commission of your corrective action immediately and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B-P supporting Line 28(b) of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

4. On Schedule B-P supporting Line 23 of your report, you have itemized disbursements for which you have failed to include the purpose. Please amend your report to include the missing information. (11 CFR § 104.3(b)(4))

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5. Itemized disbursements must include a brief statement or description of why each disbursement was made. Please amend Schedule B-P supporting Line 23 of your report to clarify the attached descriptions. For further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(4)(i)(A).

Additional clarification regarding inadequate purposes of disbursement published in the Federal Register can be found at http://www.fec.gov/law/policy/purposeofdisbursement/inadequate_purpose_list_3507.pdf.

6. Schedule B-P of your report discloses reimbursements to individuals for the attached disbursements. Please be advised that when itemizing reimbursements to individuals for goods or services, if the payment to the original vendor aggregates in excess of \$200 in an election cycle, a memo entry including the name and address of the original vendor, as well as the date, amount and purpose of the original purchase must be provided. Please amend your report to include the missing information on Schedule B-P and clearly identify each memo entry supporting a reimbursement. If itemization is not necessary, you must indicate so in an amendment to this report. (11 CFR § 104.3(b)(4)(i) and 104.9, and Advisory Opinions 1992-1 and 1996-20, footnote 3)

7. Schedule B-P of your report discloses reimbursements to individuals for the attached travel related disbursements. When the reimbursement amount to individuals for travel and subsistence advances exceeds \$500, the payments by staff to any one vendor that make up the reimbursement may have to be itemized. For example, if the related payments to any one vendor aggregate in excess of \$200 for the election cycle, the staff advance payment to the vendor must also be itemized in a memo entry for that reimbursement. Each memo entry must include the complete name and address of the original vendor, as well as the date, amount and detailed purpose of the advance. If itemization is not necessary for a particular reimbursement to staff in excess of \$500, you must indicate so in an amendment to this report. Please amend your report to include the missing or clarifying information. See Advisory Opinion 1996-20 for additional clarification. (11 CFR § 104.9)

- Your report disclosed a category of financial activity that appears to be disclosed on the wrong line of the Detailed Summary Page. Refunds of contributions should be properly disclosed on a separate Schedule B-P, supporting Line 28 of the Detailed Summary Page. Please refer to the Form 3-P instructions for each line when determining the proper categorization(s) for

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your next filing. (11 CFR § 104.3(a) and (b))

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1155.

Sincerely,



Vicki Davis
Senior Campaign Finance Analyst
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions
KASICH FOR AMERICA (C00581876)**

Excessive Contributions from Individuals

| Contributor Name | Date | Amount | Election |
|-------------------------|-------------|---------------|-----------------|
| D'Antoni, David | 7/24/15 | \$2,500.00 | P2016 |
| D'Antoni, David | 12/30/15 | \$2,700.00 | P2016 |
| DeVos, Richard Jr. | 11/21/15 | \$2,700.00 | P2016 |
| DeVos, Richard M. | 11/21/15 | \$2,700.00 | P2016 |
| Lykins, Jeff | 9/26/15 | \$2,500.00 | P2016 |
| Lykins, Jeff | 12/4/15 | \$2,700.00 | P2016 |
| Manning, Karen | 7/30/15 | \$250.00 | P2016 |
| Manning, Karen | 9/8/15 | \$50.00 | P2016 |
| Manning, Karen | 10/13/15 | \$250.00 | P2016 |
| Manning, Karen | 11/4/15 | \$2,175.00 | P2016 |
| Roetzel & Andress, Lpa | 12/2/15 | \$5,000.00 | P2016 |

Excessive Contributions from Committees

| Contributor Name | Date | Amount | Election |
|-------------------------|-------------|---------------|-----------------|
| Buckeye Patriot PAC | 8/21/15 | \$5,000.00 | P2016 |
| Buckeye Patriot PAC | 10/30/15 | \$500.00 | P2016 |
| Buckeye Patriot PAC | 12/31/15 | \$1,000.00 | P2016 |

Excessive Contributions from Affiliated Committees

| Contributor Name | Date | Amount | Election |
|----------------------------------|-------------|---------------|-----------------|
| Columbia Pipeline Group, Inc PAC | 10/12/15 | \$5,000.00 | G2016 |
| Nisource, Inc. PAC | 9/4/15 | \$5,000.00 | G2016 |
| Columbia Pipeline Group, Inc PAC | 10/12/15 | \$5,000.00 | P2016 |
| Nisource, Inc. PAC | 9/4/15 | \$5,000.00 | P2016 |

Contributions from Unregistered Organizations

| Contributor Name | Date | Amount | Election |
|---------------------------------|-------------|---------------|-----------------|
| Citizens for Kunze | 11/4/15 | \$500.00 | P2016 |
| Citizens for Schuring Committee | 10/27/15 | \$1,000.00 | P2016 |
| Citizens For Sears | 11/19/15 | \$500.00 | P2016 |
| Committee to Elect Dick Norton | 12/8/15 | \$1,000.00 | P2016 |
| Committee to Elect Jill Ford | 11/5/15 | \$1,000.00 | P2016 |
| Friends of Glenn Davis | 11/24/15 | \$500.00 | P2016 |

Excessive, Prohibited, and Impermissible Contributions
KASICH FOR AMERICA (C00581876)

| | | | |
|---------------------------|----------|------------|-------|
| Friends of Ron Villanueva | 12/10/15 | \$500.00 | P2016 |
| Friends of Shannon Jones | 10/28/15 | \$1,000.00 | P2016 |

Contributions from Possible Prohibited Entities

| Contributor Name | Date | Amount | Election |
|---------------------------------------|-------------|---------------|-----------------|
| 65 West LLC | 12/7/15 | \$2,700.00 | P2016 |
| Auris Noble LLC | 12/30/15 | \$5,000.00 | P2016 |
| B&J Development LLC | 12/30/15 | \$25,000.00 | P2016 |
| Devorah Diamond LLC | 10/12/15 | \$2,700.00 | P2016 |
| Gateway America LLC | 12/10/15 | \$500.00 | P2016 |
| L. Hubert and Associates LLC | 11/19/15 | \$500.00 | P2016 |
| Nap Investors Holdings LLC | 12/30/15 | \$29,100.00 | P2016 |
| Neurosciences Management Group LLC | 12/30/15 | \$5,000.00 | P2016 |
| PG Genatt Group LLC | 10/17/15 | \$5,000.00 | P2016 |
| South Pleasant Street Development LLC | 12/22/15 | \$1,000.00 | P2016 |
| The Mike Cox Law Firm PLLC | 11/19/15 | \$2,700.00 | P2016 |

**Incorrectly Reported Disbursements
KASICH FOR AMERICA (C00581876)**

Inadequate Purposes

| Name | Date | Amount | Purpose |
|-----------------------|-------------|---------------|------------------|
| AV Connections | 10/13/15 | \$1,884.90 | advance |
| Right Digital | 12/6/15 | \$7,000.00 | consulting |
| Sneed, Drake | 10/26/15 | \$2,500.00 | In-kind: |
| Blue & Co., Llc | 10/1/15 | \$680.00 | Invoice 10458254 |
| City of Westerville | 10/16/15 | \$442.50 | political |
| Alabama GOP | 11/6/15 | \$150.00 | Political |
| Alabama GOP | 11/6/15 | \$150.00 | Political |
| Alabama GOP | 11/6/15 | \$150.00 | Political |
| Alabama GOP | 11/6/15 | \$150.00 | Political |
| Alabama GOP | 11/6/15 | \$150.00 | Political |
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| Alabama GOP | 11/6/15 | \$150.00 | Political |
| Alabama GOP | 11/6/15 | \$150.00 | Political |
| Alabama GOP | 11/6/15 | \$150.00 | Political |
| Alabama GOP | 11/6/15 | \$150.00 | Political |
| City of Westerville | 10/27/15 | \$97.50 | political |
| Attic Bar and Bistro | 10/28/15 | \$1,164.00 | political |
| Infinite Conferencing | 11/3/15 | \$1,455.78 | Political |

Reimbursements to Individuals

| Name | Date | Amount | Purpose |
|-----------------------|-------------|---------------|--|
| Ryan Dupain | 10/23/15 | \$518.73 | non cash per diems & reimburse gas & tol |
| Fitzmartin, Megan | 10/1/15 | \$200.44 | reimburse food |
| Doug Preisse | 11/11/15 | \$128.25 | reimburse food & beverage |
| Whistler, Christopher | 11/5/15 | \$1,358.54 | reimburse health insurance premium |
| Johnson, Rogers | 12/6/15 | \$247.97 | reimburse meeting room & mileage |
| Collins, Chris | 12/14/15 | \$786.08 | reimburse mileage & food |
| Parker, Harold | 11/13/15 | \$614.48 | reimburse mileage & food |
| Collins, Chris | 10/1/15 | \$897.62 | reimburse mileage, office supplies/itemi |
| Nazar Zhdan | 10/1/15 | \$906.10 | reimburse travel, mileage & non cash per |