



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

December 31, 2012

BRADLEY SCOTT KNIPPA, TREASURER
TED CRUZ FOR SENATE
815 A BRAZOS PMB 550
AUSTIN, TX 78701

Response Due Date
02/04/2013

IDENTIFICATION NUMBER: C00492785

REFERENCE: 12 DAY PRE-GENERAL REPORT (10/01/2012 - 10/17/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Senate Public Records Office by the response date noted above. 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 4 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). The Commission notes your additional explanation regarding the committee's corrective action taken for some of these contributions.

An individual or a political committee other than an authorized committee or a qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,500 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. (2 U.S.C. § 441a(a) and (f); 11 CFR §§ 110.1(b), (e) and (k), and 102.13(c))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

Please be reminded that all refunds, redesignations and reattributions must be

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made within 60 days of receipt of the contribution. To date, one or more of the apparent excessive contributions have not been refunded, redesignated, or reattributed.

For reattributions, the funds can be retained if, within 60 days of receipt, the excessive amount was properly reattributed to another person. 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 who signed the check 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 was properly designated 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) the 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)) 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, the excessive amount must be refunded. (11 CFR § 103.3(b)(1))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/ or letters reattributing or redesignating the contributions in

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question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A 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 or redesignate and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions received after the primary election that are designated for the primary. These contributions may only be accepted to the extent that the committee has net debts outstanding from the primary election. The Commission notes your additional explanation regarding the committee's corrective action taken for some of these contributions. For more information on how to calculate net debts outstanding, please see page 25 of the Campaign Guide for Congressional Candidates and Committees, which is available online at <http://www.fec.gov/pdf/candgui.pdf>. (11 CFR § 110.1(b)(3)(i))

A contribution is considered made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR § 110.1(b)(6))

If any contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If a contribution exceeds the amount of net debts outstanding from the primary election, you may have to refund or redesignate the contribution.

The funds can be retained if, within 60 days of receipt, the excessive amount was 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

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exceed the limitations on contributions made with respect to that election, or (2) the 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))

If the foregoing conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded. See 11 CFR § 103.3(b)(3).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters redesignating the contributions in question. Refunds are reported on Line 20(a), (b) or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation 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 or redesignate the excessive amount will be taken into consideration.

3. The Commission notes the redesignation or reattribution of several contributions. Please amend your report to disclose the proper format for redesignations or reattributions. The first entry must disclose, as a memo entry, the information for the contribution as it was originally reported; the second entry must disclose, as a memo entry, the information as it has been redesignated or reattributed, including the date the redesignation or reattribution was made. (11 CFR § 104.8(d)(2), (3), and (4)) Please refer to the Campaign Guide for Congressional Candidates and Committees for further guidance on how to report redesignations and reattributions.

4. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in an election cycle. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (**initials for first or last name are not acceptable**), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

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The attached employer and occupation entries appear on your report and are not considered acceptable.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

- Schedule A of your report contains entries for contributions made by more than one person. Please be advised that for contributions made by more than

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one individual in a single written instrument, you must report the amount attributed to each contributor along with all the required contributor information (full name, address, occupation, and employer) in a separate entry for each person. See 11 CFR §§ 100.12, 104.8(a), (b) and (d)(1) and the Campaign Guide for Congressional Candidates for additional clarification.

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.**

A written response or an amendment to your original report(s) correcting the above problems should be filed with the Senate Public Records Office. Please contact the Senate Public Records Office at (202) 224-0322 for instructions on how and where to file an amendment. 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) 694-1166.

Sincerely,

A handwritten signature in black ink that reads "Bradley Matheson". The signature is written in a cursive, flowing style.

Bradley Matheson
Sr. Campaign Finance & Reviewing Analyst
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions
Ted Cruz for Senate (C00492785)**

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Andrews, Barry	10/9/12	\$5,000.00	G, 2012
Brinkmann, J Baxter	10/9/12	\$2,500.00	G, 2012
Brinkmann, J Baxter	10/9/12	\$2,500.00	G, 2012
Carona, John Sr.	9/30/12	\$5,000.00	O, 2012 RUNOFF
Carona, John Sr.	10/11/12	\$2,500.00	O, 2012 RUNOFF
Coffee, Roy C Jr.	9/21/12	\$5,000.00	O, 2012 RUNOFF
Coffee, Roy C Jr.	10/11/12	\$2,500.00	O, 2012 RUNOFF
Dillard, Jack	9/19/12	\$5,000.00	O, 2012 RUNOFF
Dillard, Jack	10/1/12	\$2,500.00	O, 2012 RUNOFF
Donnell, James L Jr.	9/27/12	\$7,500.00	P, 2012
Donnell, James L Jr.	10/11/12	\$2,500.00	P, 2012
Duncan, Leslie R	9/21/12	\$5,000.00	P, 2012
Duncan, Leslie R	10/11/12	\$2,500.00	P, 2012
Edwards, James	8/7/12	\$2,900.00	G, 2012
Edwards, James	8/7/12	\$1,000.00	G, 2012
Edwards, James	10/9/12	\$10.00	G, 2012
Fant, Richard	8/14/12	\$5,000.00	O, 2012 RUNOFF
Fant, Richard	10/1/12	\$2,500.00	O, 2012 RUNOFF
Frede, Norman D	10/9/12	\$5,000.00	G, 2012
Gimenez, Guy E	6/1/12	\$250.00	G, 2012
Gimenez, Guy E	10/11/12	\$2,500.00	G, 2012
Graham, Ashleigh	9/27/12	\$7,500.00	P, 2012
Graham, Ashleigh	10/11/12	\$2,500.00	P, 2012
Grundhoefer, Mary Jo	9/10/12	\$5,000.00	O, 2012 RUNOFF
Grundhoefer, Mary Jo	10/1/12	\$2,500.00	O, 2012 RUNOFF
Gwin, Robert	10/17/12	\$5,000.00	G, 2012

**Excessive, Prohibited, and Impermissible Contributions
Ted Cruz for Senate (C00492785)**

Harvey, Michael J III	10/9/12	\$15,000.00	G, 2012
Hicks, Thomas Ollis Jr.	10/10/12	\$5,000.00	G, 2012
Hopkins, Mike	10/2/12	\$2,500.00	G, 2012
Hopkins, Mike	10/11/12	\$2,500.00	G, 2012
Hunt, Woody L	9/27/12	\$7,500.00	P, 2012
Hunt, Woody L	10/11/12	\$2,500.00	P, 2012
Kinder, Nancy G	10/1/12	-\$2,500.00	G, 2012
Kinder, Nancy G	10/10/12	\$7,500.00	G, 2012
Lefebvre, Dale	9/14/12	\$7,500.00	P, 2012
Lefebvre, Dale	10/11/12	\$2,500.00	P, 2012
Margolis, Barry	9/6/12	\$2,500.00	G, 2012
Margolis, Barry	10/11/12	\$1,000.00	G, 2012
Marion, Anne W	10/17/12	\$5,000.00	G, 2012
Mcguire, Weldon T	9/30/12	\$5,000.00	O, 2012 RUNOFF
Mcguire, Weldon T	10/11/12	\$2,500.00	O, 2012 RUNOFF
McNair, Janice S	10/17/12	\$5,000.00	G, 2012
McNair, Robert C C	10/17/12	\$5,000.00	G, 2012
McWilliams, Dean Ross	10/4/12	\$10,000.00	G, 2012
Merrick, Garth	10/1/12	\$30.00	G, 2012
Merrick, Garth	10/15/12	\$5,000.00	G, 2012
Mitzner, David	10/17/12	\$7,500.00	G, 2012
Mitzner, Ira	10/17/12	\$15,000.00	G, 2012
Morgan, David Glenn	10/10/12	\$5,000.00	G, 2012
Onstead, Kay M	9/30/12	\$1,428.57	G, 2012
Onstead, Kay M	10/17/12	\$5,071.43	G, 2012

**Excessive, Prohibited, and Impermissible Contributions
Ted Cruz for Senate (C00492785)**

Pappas, Christopher J	8/23/12	\$7,500.00	P, 2012
Pappas, Christopher J	10/11/12	\$2,500.00	P, 2012
Paul, Nate	10/17/12	\$5,000.00	G, 2012
Peacock, Alice	10/1/12	\$7,500.00	G, 2012
Peacock, Alice	10/1/12	-\$2,500.00	G, 2012
Phillips, Gene E	10/9/12	\$10,000.00	G, 2012
Phillips, Jack R	10/17/12	\$4,166.00	G, 2012
Phillips, Mel	9/28/12	\$2,500.00	P, 2012
Phillips, Mel	10/11/12	\$2,500.00	P, 2012
Ris, William	9/21/12	\$1,000.00	G, 2012
Ris, William	10/9/12	\$2,000.00	G, 2012
Sabater, Juan	10/17/12	\$5,000.00	G, 2012
Schmidt, Ralph A	9/30/12	\$25,000.00	G, 2012
Schmidt, Ralph A	10/1/12	\$1,000.00	G, 2012
Seeligson, Arthur A	9/5/12	\$5,000.00	O, 2012 RUNOFF
Seeligson, Arthur A	10/1/12	\$2,500.00	O, 2012 RUNOFF
Skaggs, John Riley	8/1/12	\$100.00	G, 2012
Skaggs, John Riley	9/17/12	\$225.00	G, 2012
Skaggs, John Riley	9/27/12	\$500.00	G, 2012
Skaggs, John Riley	10/17/12	\$2,500.00	G, 2012
Snyder, Rick Dr	10/17/12	\$5,000.00	G, 2012
Tice, David W	9/14/12	\$2,500.00	P, 2012
Tice, David W	10/1/12	\$2,500.00	P, 2012
Toelke, Dudley Scott	9/10/12	\$5,000.00	O, 2012 RUNOFF
Toelke, Dudley Scott	10/1/12	\$2,500.00	O, 2012 RUNOFF
Troutt, Kenny	9/30/12	\$5,000.00	O, 2012 RUNOFF
Troutt, Kenny	10/11/12	\$2,500.00	O, 2012 RUNOFF

**Excessive, Prohibited, and Impermissible Contributions
Ted Cruz for Senate (C00492785)**

Troutt, Lisa	9/30/12	\$5,000.00	O, 2012 RUNOFF
Troutt, Lisa	10/11/12	\$2,500.00	O, 2012 RUNOFF
Wagner, Rex Robert	9/30/12	\$5,000.00	P, 2012
Wagner, Rex Robert	10/11/12	\$2,500.00	P, 2012
Ware, Ken	10/17/12	\$5,000.00	G, 2012
Watson, Mark E III	10/17/12	\$10,000.00	G, 2012
Williams, J D	9/30/12	\$5,000.00	O, 2012 RUNOFF
Williams, J D	10/11/12	\$2,500.00	O, 2012 RUNOFF

Excessive Contributions from Committees

Contributor Name	Date	Amount	Election
Committee	8/13/12	\$10,000.00	O, 2012 RUNOFF
Committee	10/1/12	\$5,000.00	O, 2012 RUNOFF
Common Values PAC	9/21/12	\$15,000.00	P, 2012
Common Values PAC	10/11/12	\$5,000.00	P, 2012
Fund For A Conservative Future	8/14/12	\$10,000.00	P, 2012
Fund For A Conservative Future	10/1/12	\$5,000.00	P, 2012
Google Inc. NETPAC	9/19/12	\$5,000.00	G, 2012
Google Inc. NETPAC	10/9/12	\$5,000.00	G, 2012
Association	9/27/12	\$10,000.00	O, 2012 RUNOFF
Association	10/11/12	\$5,000.00	O, 2012 RUNOFF
Valero PAC	9/30/12	\$10,000.00	O, 2012 RUNOFF
Valero PAC	10/11/12	\$5,000.00	O, 2012 RUNOFF

Inadequate Employer/Occupation Entries
Ted Crus for Senate (C00492785)

Employer	Occupation
Allen Trucking LLC	Information Requested Per Best Eff
American Airlines	Information Requested Per Best Eff
Bmi Devense Systems, Inco	Information Requested Per Best Eff
Bnsf Railway	Information Requested Per Best Eff
Burlington Northern Santa Fe Corp.	Information Requested Per Best Eff
Burnett Companies	Information Requested Per Best Eff
Cardinal Maintenance	Information Requested Per Best Eff
Communication Solutions	Information Requested Per Best Eff
Hunt Petroleum Corp.	Information Requested Per Best Eff
Information Requested Per Best Effo	Surgeon
Information Requested Per Best Effo	Information Requested Per Best Eff
Information Requested Per Best Effo	Attorney
Information Requested Per Best Effo	Pac Treasurer
Information Requested Per Best Effo	Oil Producer
Information Requested Per Best Effo	Software Publisher
Kelly Hart & Hallman LLP	Information Requested Per Best Eff
King-Mesa Gin	Information Requested Per Best Eff
Maxxam Inc.	Information Requested Per Best Eff
N/A	Systems
Norton Energy Drilling	Information Requested Per Best Eff
Self	Sales
Self	Information Requested Per Best Eff
Self	Business Owner
Self-Employed	Business Owner
Southwest Outdoors	Information Requested Per Best Eff
Sullivan Land & Cattle Company	Information Requested Per Best Eff
Texas Allied Industries	Information Requested Per Best Eff
Ts Distributors	Information Requested Per Best Eff
Tubaugh Remodeling LLC	Information Requested Per Best Eff
Valero Energy Corp.	Information Requested Per Best Eff
Verde Realty Inc.	Information Requested Per Best Eff