



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

October 29, 2013

CHRISTOPHER D. THIGPEN, TREASURER
THIGPEN FOR CONGRESS
PO BOX 12034
JACKSONVILLE, NC 28546

Response Due Date
12/03/2013

IDENTIFICATION NUMBER: C00541409

REFERENCE: JULY QUARTERLY REPORT (04/01/2013 - 06/30/2013)

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 5 item(s):

1. The totals listed on Line(s) 6(a), 6(c), 7(a), 7(c) 11(a)(iii), 11(d), 11(e), 16, 17 and 22, Column B of the Summary and Detailed Summary Page(s) appear to be incorrect. Column B figures for the Summary and Detailed Summary Pages should equal the sum of the Column B figures on your previous report and the Column A figures on this report. Please file an amendment to your report to correct the Column B discrepancies for this report and all subsequent report(s) which may be affected by this correction. Note that Column B should reflect only the election cycle-to-date totals (11/7/12 through 11/6/14). (2 U.S.C. § 434(b) and 11 CFR § 104.3)
2. The beginning cash balance of this report does not equal the ending balance of your 2013 April Quarterly Report. Please correct this discrepancy and amend all subsequent reports that may be affected by the correction. (2 U.S.C. § 434(b)(1) and 11 CFR § 104.3(a)(1))
3. On Schedule B supporting Line 17 of your report, you have itemized disbursements for which you have failed to include the proper name of the vendor receiving payment. Please amend your report to include the missing information. (11 CFR § 104.3(b)(4))
4. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

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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 \$2,600 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))

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 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

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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).

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 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, redesignate, and/or reattribute the excessive amount will be taken into consideration.

5. Schedule A of your report discloses one or more in-kind contributions made before the primary election that are designated for the general election and appear to exceed the limits set forth in the Act (see attached).

In-kind contributions of equipment, such as computers, with a long-term useful life (e.g., an election cycle, or perhaps longer) are similar to contributions of money and may be designated for elections beyond the next election, provided the contributor designates the contribution as such in writing. A contribution of

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this type of equipment is distinguishable from in-kind contributions that are used only for one particular election, such as non-exempt contributions of food or beverages consumed by primary election day workers, or printing or mailing costs related to general election events or fundraisers.

Some in-kind contributions on your report do not have a "long-term useful life" and constitute an excessive contribution for the primary election (see Advisory Opinion 1996-29). You must refund the excessive amount to the donor.

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

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. 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. (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 the excessive amount will be taken into consideration.

- Your report disclosed a category of financial activity that appears to be disclosed on the wrong line of the Detailed Summary Page. For your information and consideration when preparing future filings, candidate contributions should be properly disclosed on a separate Schedule A, supporting Line 11(d) of the Detailed Summary Page. Refer to the Form 3 instructions for each line when determining the proper categorization(s) for 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)

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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) 694-1132.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Jones". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chris Jones
Senior Campaign Finance Analyst
Reports Analysis Division

**Incorrectly Reported Disbursements
Thigpen for Congress (C00541409)**

Reimbursements to Individuals for Non-Travel Purposes

Name	Date	Amount	Purpose
Brandenburg, Dustin	2/20/2013	\$28.27	Food
Brandenburg, Dustin	2/21/2013	\$25.15	Food, Parking
Cuthbertson, Jody	2/21/2013	\$6.57	BOA Building-Food
Cuthbertson, Jody	2/21/2013	\$22.55	Food
Cuthbertson, Jody	2/21/2013	\$44.58	Food for Team
Cuthbertson, Jody	2/21/2013	\$103.25	Food, Taxi, Parking
Perez, Hayleigh L	2/20/2013	\$14.16	Food
Perez, Hayleigh L	3/13/2013	\$6.07	Food
Perez, Hayleigh L	2/21/2013	\$77.06	Lee Doughtry Meeting-Breakfast
Thigpen, Chris	2/20/2013	\$20.32	Food
Thigpen, Chris	2/21/2013	\$62.39	Food, Gas, Parking
Thigpen, Chris	3/29/2013	\$22.90	Lunch-meeting
Thigpen, Jason Ray	2/20/2013	\$9.94	Food

**Excessive, Prohibited, and Impermissible Contributions
Thigpen for Congress (C00541409)**

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Cuthbertson, Jody	2/15/2013	\$750.00	P2014
Cuthbertson, Jody	2/28/2013	\$750.00	P2014
Cuthbertson, Jody	3/8/2013	\$2,000.00	P2014
Cuthbertson, Jody	3/15/2013	\$750.00	P2014
Cuthbertson, Jody	3/31/2013	\$750.00	P2014
Perez, Hayleigh L	2/15/2013	\$1,000.00	P2014
Perez, Hayleigh L	2/28/2013	\$1,000.00	P2014
Perez, Hayleigh L	3/15/2013	\$1,000.00	P2014
Perez, Hayleigh L	3/30/2013	\$1,000.00	P2014
Perez, Hayleigh L	3/31/2013	\$1,000.00	P2014