



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

August 20, 2015

ROBERT H. FRANK, TREASURER  
THE 2016 COMMITTEE  
370 MAPLE AVENUE W SUITE 4  
VIENNA, VA 22180-5615

**Response Due Date**

**09/24/2015**

IDENTIFICATION NUMBER: C00569905

REFERENCE: MID-YEAR REPORT (01/01/2015 - 06/30/2015)

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 4 item(s):

1. Schedule B discloses reimbursements to individuals for "Travel, Meals, Lodging," "Travel, Meals, Mileage," and "Travel: Meals." When the reimbursement amount to individuals for travel and subsistence advances exceeds \$500, the payments by individuals 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 calendar year, the individual 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)

2. Itemized disbursements must include a brief statement or description of why each disbursement was made. Please amend Schedule B supporting Line 21(b) of your report to clarify the following description(s): "Office Expenses" and "Fulfillment Items." For further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(3)(i).

Additional clarification regarding inadequate purposes of disbursement

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published in the Federal Register can be found at [http://www.fec.gov/law/policy/purposeofdisbursement/inadequate\\_purpose\\_list\\_3507.pdf](http://www.fec.gov/law/policy/purposeofdisbursement/inadequate_purpose_list_3507.pdf).

3. Schedule E of your report indicates that your committee may have failed to file one or more of the required 48 hour report(s) for independent expenditures (see attached). A political committee must file a 48 hour report with the Federal Election Commission as specified in 11 CFR §104.4(b), within 48 hours of any independent expenditures aggregating \$10,000 or more with respect to a given election, made any time during the calendar year up to and including the 20th day before an election. The report must be received by the Commission by 11:59 p.m. on the second day following the date on which independent expenditures that aggregate \$10,000 or more are publicly distributed or disseminated. These expenditures must then be fully itemized on Schedule E, or as memo entries on Schedule E and reflected on Schedule D if distributed or disseminated prior to payment, of the next report required to be filed by the committee. Although the Commission may take further action concerning this matter, your prompt response will be taken into consideration. (11 CFR §104.3(b))

4. The independent expenditure schedule (Schedule E) should disclose the following information: the name and mailing address of the payee, the purpose of the expenditure, the date of payment, the amount of payment, the name and office sought, state and district (if applicable) of the federal candidate, the calendar year-to-date, per election, for office sought total, the election designation, an indication of whether the candidate was supported or opposed and the signature of the treasurer. Please amend Schedule E by providing the State of the Primary election for each independent expenditure. Please be advised that the Commission determined in Advisory Opinion 2003-40 that each State's Presidential primary is considered a separate election for purposes of aggregating independent expenditures. (11 CFR §104.3(b)(3)(vii))

- Schedule B of your report discloses an expenditure(s) for "Postage - mailhouse," "Postage," "Postage Fee," "Printing," "Printing - mailhouse," "Printing, Fulfillment Items," "Printing and Copying," "Online Advertising," "RV Advertising," and "Postage - Fulfillment." For your information and consideration when preparing future filings, if a portion or all of these expenditures were for public communications (as defined by 11 CFR §100.26) containing express advocacy as defined under 11 CFR §100.22, this would constitute an independent expenditure and would be disclosed on a Schedule E supporting Line 24. Public communications that refer to a clearly identified

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Federal candidate, but that do not expressly advocate the election or defeat of that candidate would be reported on Schedule B for Line 21(b) of the Detailed Summary Page.

**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) 694-1172.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Baisden", with a stylized flourish at the end.

Jack Baisden  
Campaign Finance Analyst  
Reports Analysis Division

**Missing 48 Hour Report (Schedule E)**  
**The 2016 Committee (C00569905)**

<b>Name of Payee</b>	<b>Dissemination Date</b>	<b>Amount</b>	<b>Candidate</b>	<b>Election</b>
Clear Channel Outdoor	4/27/15	\$20,300.00	Dr. Ben Carson	P2016
Clear Channel Outdoor	5/8/15	\$15,000.00	Dr. Ben Carson	P2016
Clear Channel Outdoor	6/3/15	\$15,000.00	Dr. Ben Carson	P2016