



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

August 5, 2014

AMY B. ELLIS, TREASURER
BERGER FOR CONGRESS
PO BOX 3117
EDEN, NC 27289

Response Due Date
09/09/2014

IDENTIFICATION NUMBER: C00552638

REFERENCE: 12 DAY PRE-RUN-OFF REPORT (04/17/2014 - 06/25/2014)

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 A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Runoff Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

2. Itemized disbursements must include a brief statement or description of why each disbursement was made. Please amend Schedule B supporting Line 17 of your report to clarify the following description(s): "Consulting" and "Fees." For further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(4)(i)(A).

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Additional clarification regarding inadequate purposes of disbursement published in the Federal Register is available on the FEC website at www.fec.gov/law/policy/purposeofdisbursement/inadequate_purpose_list_3507.pdf. A non-exhaustive list of acceptable purposes is also available on the FEC website at <http://www.fec.gov/rad/pacs/documents/ExamplesofAdequatePurposes.pdf>.

3. Schedule B of your report discloses reimbursements to individuals for the attached disbursement(s). 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 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)

4. Schedule B of your report discloses reimbursements to individuals for the attached travel-related disbursement(s). 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)

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.**

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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) 694-1132.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Jones", written in a cursive style.

Chris Jones
Campaign Finance Analyst
Reports Analysis Division

Missing 48-Hour Notices
Berger for Congress (C00552638)

Contributor Name	Date	Amount	Election
American Medical Association Political Action Committee	4/18/2014	\$5,000.00	P2014
CULAC The PAC of Credit Union National Association	4/18/2014	\$5,000.00	P2014
Phillips, S Davis	4/18/2014	\$2,600.00	P2014
The Eye of the Tiger Political Action Committee	4/30/2014	\$2,000.00	P2014

**Incorrectly Reported Disbursements
Berger for Congress (C00552638)**

Reimbursements to Individuals for Non-Travel Purposes and/or Travel Purposes.

Name	Date	Amount	Purpose
Ferguson, Gillum	6/17/2014	\$334.00	office supplies
Haymore, Tyler	6/2/2014	\$723.20	office supplies and travel reimb
Miller, Scott	5/2/2014	\$1,736.73	field rep and expenses
Miller, Scott	5/22/2014	\$735.47	travel and office supplies
Norcross, Paul	6/22/2014	\$4,587.10	printing, supplies, travel