



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

February 19, 2018

WARD MCCAMPBELL, TREASURER  
ELECT BLAKE FARENTHOLD COMMITTEE  
PO BOX 3369  
CORPUS CHRISTI, TX 78463-3369

**Response Due Date**  
**03/26/2018**

IDENTIFICATION NUMBER: C00473736

REFERENCE: YEAR-END REPORT (10/01/2017 - 12/31/2017)

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. While it is permissible for a person to make a contribution for the general election prior to the primary election, the recipient committee must employ an acceptable accounting method to distinguish between primary and general election contributions. (11 CFR § 102.9(e)) This general election amount must be maintained in the committee's account.

Since the candidate is not seeking office and will not participate in the general election, any contribution received for the general election must be returned to the donors, in accordance with 11 CFR § 110.1(b)(3). The use of general election contributions to pay primary debts and obligations is prohibited under the Act as such use could result in individuals making contributions with respect to the primary election in excess of the \$2,700 per election limit.

The attached general election contributions do not appear to have been remedied. Any subsequent report(s) filed with the Commission must disclose the refund of any general election contributions. Refunds must be done within 60 days after the candidate's announcement not to seek office/re-election.

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any refund. 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)(4))

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Although the Commission may take further legal action, your prompt action to refund these contributions will be taken into consideration.

2. Schedule A of your report discloses the receipt of a contribution (Fang C. Liang, 12/15/17, \$1,000.00) designated for the primary election that was received after the date the candidate terminated his candidacy.

The candidate was running for Congressional office until his announcement on 12/14/17 not to seek office/ re-election. At this time, his status as a candidate for the 2018 Election Cycle ended. Your committee is entitled to keep all primary election contributions made prior to or on the date of that announcement, and is allowed to use them in accordance with 11 CFR § 113.2. However, primary election contributions made after the date of the announcement must be refunded, except to the extent there are net debts outstanding for the campaign on the date each primary election contribution is received. (11 CFR § 110.1(b)(3)(ii))

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 of the apparent primary election contributions in question were incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If a contribution was made by the contributor before or on the date the candidate terminated their candidacy, please amend your report to indicate this using memo text, or provide this information in a Miscellaneous Document (Form 99 for electronic filers).

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)(4))

Although the Commission may take further legal action, your prompt action to

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refund these contributions will be taken into consideration.

**3.** Schedule A 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 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))

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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).

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.

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

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contributions from individuals for which the identification is not complete.

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)(i)(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.

**5.** 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): "2018 Benchmark." For

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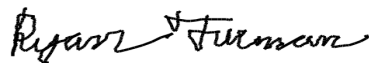
further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(4)(i)(A).

Additional clarification regarding inadequate purposes of disbursement and a non-exhaustive list of acceptable purposes are available on the FEC website at <http://www.fec.gov/help-candidates-and-committees/purposes-disbursement/>.

**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. For additional information about the report review process or specific filing information for your committee type, please visit <http://transition.fec.gov/rad/>. 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) 694-1151.

Sincerely,



Ryan Furman  
Sr. Campaign Finance & Reviewing Analyst  
Reports Analysis Division

**General Election Contributions**  
**Elect Blake Farenthold Committee (C00473736)**

**2017 July Quarterly Report**

| Contributor Name                                 | Date    | Amount     | Election |
|--|---------|------------|----------|
| Atnip, Cliff                                     | 6/28/17 | \$1,000.00 | G2018    |
| Barger, John W.                                  | 6/5/17  | \$1,000.00 | G2018    |
| Ewing, Jr, William B                             | 4/7/17  | \$2,700.00 | G2018    |
| Ewing, Michelle                                  | 4/7/17  | \$2,700.00 | G2018    |
| Frost, Holloway                                  | 6/19/17 | \$2,300.00 | G2018    |
| Gates, Diane                                     | 5/3/17  | \$2,700.00 | G2018    |
| Gates, Thomas A. Sr.                             | 5/3/17  | \$2,700.00 | G2018    |
| Lanham, Robert C. Jr.                            | 6/30/17 | \$1,000.00 | G2018    |
| National Air Traffic Controllers Association PAC | 4/13/17 | \$500.00   | G2018    |
| National Air Traffic Controllers Association PAC | 4/26/17 | \$1,000.00 | G2018    |
| National Air Traffic Controllers Association PAC | 6/7/17  | \$1,000.00 | G2018    |
| National Air Traffic Controllers Association PAC | 6/21/17 | \$1,000.00 | G2018    |
| Transportation Intermedicaries Association       | 6/5/17  | \$2,500.00 | G2018    |
| Wall, Kathleen                                   | 6/19/17 | \$2,300.00 | G2018    |

**2017 Ocotober Quarterly Report**

| Contributor Name   | Date    | Amount     | Election |
|--|---------|------------|----------|
| American Society of Anesthesiologists PAC                        | 9/30/17 | \$1,000.00 | G2018    |
| Ballard, A. L.   | 9/22/17 | \$1,000.00 | G2018    |
| Google NETPAC  | 9/29/17 | \$2,500.00 | G2018    |
| Majority Committee PAC--MC PAC                                   | 9/30/17 | \$5,000.00 | G2018    |
| Minn-Dak Farmers Cooperative Political Action Committee (MDFPAC) | 9/14/17 | \$1,000.00 | G2018    |
| National Air Traffic Controllers Association PAC                 | 8/28/17 | \$1,000.00 | G2018    |
| National Air Traffic Controllers Association PAC                 | 9/28/17 | \$500.00   | G2018    |

**2017 Year-End Report**

| Contributor Name | Date     | Amount     | Election |
|------------------|----------|------------|----------|
| Boyd, Debbie     | 11/17/17 | \$2,700.00 | G2018    |
| Boyd, Randy L    | 11/17/17 | \$2,700.00 | G2018    |
| Google NETPAC    | 11/21/17 | \$2,500.00 | G2018    |

**Excessive, Prohibited, and Impermissible Contributions  
Elect Blake Farenthold Committee (C00473736)**

**Excessive Contributions from Committees**

| <b>Contributor Name</b>  | <b>Date</b> | <b>Amount</b> | <b>Election</b> |
|--|-------------|---------------|-----------------|
| Exxon Mobil Corporation Political Action Committee<br>(ExxonMobil PAC) | 5/8/17      | \$1,500.00    | P2018           |
| Exxon Mobil Corporation Political Action Committee<br>(ExxonMobil PAC) | 6/30/17     | \$1,500.00    | P2018           |
| Exxon Mobil Corporation Political Action Committee<br>(ExxonMobil PAC) | 6/30/17     | \$1,500.00    | P2018           |
| Exxon Mobil Corporation Political Action Committee<br>(ExxonMobil PAC) | 10/26/17    | \$2,000.00    | P2018           |



**Inadequate Employer/Occupation Entries**  
**Elect Blake Farenthold Committee (C00473736)**

| <b>Employer</b>              | <b>Occupation</b>      |
|------------------------------|------------------------|
| Business Owner               | Self-Employed          |
| Gardere, Wynne & Swewll, LLP | Information Requested  |
| Golan Properties             | Information Requested  |
| Information Requested        | Information Requested  |
| Information Requested        | Real Estate Investment |
| Information Requested        | Training Officer       |
| Lynn Pinker Cox Hurst        | Information Requested  |
| Medical Center of McKinney   | Information Requested  |
| Requested                    | Requested              |
| Royal Oil & Gass             | Information Requested  |
| Self-Employed                | Information Requested  |
| Studiio Movie Grill          | Information Requested  |
| Texas Financial Forensics    | Information Requested  |