



Federal Election Commission  
Washington, DC 20463

2015 JUL - 4 10:34

**SENSITIVE**

**MEMORANDUM**

June 4, 2015

TO: The Commission

THROUGH: Alec Palmer *Cut off*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

BY: Lynn M. Fraser *DR*  
Director, ADR Office

SUBJECT: Krista J. Roche *JR*  
Assistant Director, ADR Office

ADR 765 Texans for a Conservative Majority and Randy Cubriel,  
Treasurer, Informational Memo on Assignment

The Office of General Counsel (OGC) transferred RR 14L-39 for processing on May 28, 2015, and the ADR Office designated the referral ADR 765. We include a summary and discussion of the referral for your information. We anticipate initiating communication with Respondents in ADR 765 on June 9, 2015. Please contact Krista Roche if you have any questions or concerns before then.

**Summary of Case:** The Reports Analysis Division (RAD) referred Texans for a Conservative Majority and Randy Cubriel, Treasurer (Respondents or the Committee) for two reporting issues. The Committee failed to timely file one (1) 48-Hour Report totaling \$74,235.36 to support one (1) independent expenditure disclosed on the Amended 2014 12 Day Pre-Primary Report. The Committee also failed to disclose all financial activity on its 2013 Year-End Report, originally filed on January 31, 2014. On February 20, 2014, the Committee filed an Amended 2013 Year-End Report disclosing additional receipts of \$180,000.

The Committee contends that the errors were inadvertent and voluntarily disclosed to the Commission promptly upon their discovery. In a Miscellaneous Electronic Submission (Form 99) filed on May 7, 2014, the Committee states that

the 48-Hour Report was omitted because the Committee expended two identical sums to the same recipient, leading to confusion and the reporting of only one payment. Regarding the omissions on the 2013 Year-End Report, the Committee indicates that during a regular review of previously-filed reports, it became aware that donations made to a “non-contribution account” were not reflected in the original report. The Committee states in Form 99 dated May 1, 2014, that it amended the report as soon as it became aware of the omission.