



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

16L-07

May 23, 2016

MEMORANDUM

TO: Daniel A. Petalas
Acting General Counsel

THROUGH: Alec Palmer
Staff Director

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

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Nataliya Ioffe/Rebecca Hough
Authorized Branch
Reports Analysis Division

SUBJECT: Referral of Lone Star Committee

The Reports Analysis Division (RAD) is referring Lone Star Committee ("LSC") to the Office of General Counsel (OGC) for filing a 24-Hour Notice of Disbursements/Obligations for Electioneering Communications (FEC Form 9) for three (3) disbursements totaling \$48,665.39 after the date of the applicable election. In accordance with the 2015-2016 *RAD Review and Referral Procedures for Authorized Committees (Standard 22)*, a review by your office is required.

LSC is an unincorporated organization that makes electioneering communications. LSC is not involved in any pending referable issues or outstanding enforcement matters. Copies of any filings or letters either filed by LSC or sent by RAD and referenced in this referral are available for your review on the FEC web site.

If you have any questions regarding this matter, please contact Nataliya Ioffe at 694-1163 or Rebecca Hough at 694-1165.

Attachments

RECEIVED
FEDERAL ELECTION
COMMISSION

2016 MAY 24 AM 8:05 16L-07

REPORTS ANALYSIS DIVISION REFERRAL

TO

CELA

OFFICE OF GENERAL COUNSEL

DATE: May 23, 2016

ANALYST: R. Bradley Austin

I. FILER: Lone Star Committee
C30002364
Rich Danker, Custodian of Records
1400 Key Boulevard, Suite 100
Arlington, VA 22209

II. RELEVANT STATUTES: 52 U.S.C. § 30104(f)
11 CFR § 104.20(b)

III. BACKGROUND:

Failure to File a 24-Hour Notice (Filed after the Relevant Election)

Lone Star Committee ("LSC") failed to timely file a 24-Hour Notice of Disbursements/Obligations for Electioneering Communications (FEC Form 9) totaling \$48,665.39 to support three (3) disbursements for an electioneering communication that referenced one (1) federal candidate and was publicly distributed within thirty (30) days prior to the 2016 Presidential Primary Election in New Hampshire held on February 9, 2016 (Attachment 2).

On February 10, 2016, LSC filed an FEC Form 9 covering the period from December 11, 2015 through February 2, 2016. Schedule 9-B (Disbursement(s) Made or Obligation(s)) of the filing disclosed three (3) disbursements for radio communication expenses totaling \$48,665.39 for an electioneering communication entitled "Gold," made in connection with New Hampshire's February 9, 2016 Presidential Primary Election. The communication referenced one (1) federal candidate (Attachment 2; Image 201602109008453641).

On February 23, 2016, a Request for Additional Information ("RFAI") was sent to LSC referencing the FEC Form 9 submission received on February 10, 2016. The RFAI noted that LSC filed the 24-Hour Notice after the applicable election held on February 9,

2016 and asked for clarification regarding the untimely disclosure of the electioneering communications in question (Image 201602240300038490).

On March 21, 2016, LSC filed an Amended FEC Form 9 in response to the RFAI, which included the following statement:

"Due to an administrative error, the report was filed after the electioneering communication for the New Hampshire primary was made. I apologize for this mistake and subsequent Form 9 submissions have been in compliance with the 24-hour reporting requirement" (Image 201603220300057022).

On April 5, 2016, the Reports Analysis Division (RAD) Analyst spoke with LSC's Custodian of Records, Rich Danker, informing him that this issue may be referred to another office for further action and asked if he wanted to add anything to the public record. Mr. Danker stated he wanted to review his records and would contact RAD after he had a chance to review LSC's filings. Later that day he called the RAD Analyst and stated he had nothing further to add to the record and felt the amended filing contained sufficient explanation (Attachment 3).

To date, no further communications have been received from LSC regarding this matter.

17-100101010101

UNION-BONDING

O-Index (2015-2016)
 Cmte. ID: C30002364 Cmte. Name: LONE STAR COMMITTEE
 Treasurer Name: null Address: 1400 KEY BOULEVARD SUITE 100, ARLINGTON, VA 22209
 Cmte. Type: E (ELECTIONEERING COMMUNICATION) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER

| Form Tp | Rpt Tp | Alt | Recpt Dt | Pgs | Begin Img# | Beg Cvg Dt | End Cvg Dt | Ltr Mail Dt | Begin Cash | Recpts | Disb | End Cash | Debts | Loans | Debts & Loans |
|---------|--------|-----|-----------|-----|--------------------|------------|------------|-------------|-------------|-----------|------|----------|-------|-------|---------------|
| RQ2 | 24 | | 2/23/2016 | 2 | 201602240300038490 | | | 2/23/2016 | | | | | | | |
| RQ2 | 24 | | 2/23/2016 | 2 | 201602240300038492 | | | 2/23/2016 | | | | | | | |
| RQ2 | 24 | | 2/23/2016 | 2 | 201602240300038520 | | | 2/23/2016 | | | | | | | |
| F9 | 24 | A | 3/21/2016 | 18 | 201603220300057021 | 12/13/2015 | 2/2/2016 | | \$143,500 | \$48,885 | | | | | |
| F9 | 24 | N | 3/23/2016 | 7 | 201603220300057040 | 12/11/2015 | 2/11/2016 | | \$143,500 | \$30,000 | | | | | |
| F9 | 24 | A | 3/21/2016 | 7 | 201603220300057032 | 12/20/2015 | 2/22/2016 | | \$167,000 | \$20,000 | | | | | |
| Totals | | | | | | | | | \$1,049,400 | \$295,995 | | | | | |

O-Index (2013-2014)
 Cmte. ID: C30002364 Cmte. Name: LONE STAR COMMITTEE
 Treasurer Name: null Address: 1400 KEY BOULEVARD SUITE 100, ARLINGTON, VA 22209
 Cmte. Type: E (ELECTIONEERING COMMUNICATION) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER

| Form Tp | Rpt Tp | Alt | Recpt Dt | Pgs | Begin Img# | Beg Cvg Dt | End Cvg Dt | Ltr Mail Dt | Begin Cash | Recpts | Disb | End Cash | Debts | Loans | Debts & Loans |
|---------------------------------------|--------|-----|----------|-----|------------|------------|------------|-------------|------------|--------|------|----------|-------|-------|---------------|
| No records were found for this cycle. | | | | | | | | | | | | | | | |

O-Index (2011-2012)
 Cmte. ID: C30002364 Cmte. Name: LONE STAR COMMITTEE
 Treasurer Name: null Address: 1400 KEY BOULEVARD SUITE 100, ARLINGTON, VA 22209
 Cmte. Type: E (ELECTIONEERING COMMUNICATION) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER

| Form Tp | Rpt Tp | Alt | Recpt Dt | Pgs | Begin Img# | Beg Cvg Dt | End Cvg Dt | Ltr Mail Dt | Begin Cash | Recpts | Disb | End Cash | Debts | Loans | Debts & Loans |
|---------------------------------------|--------|-----|----------|-----|------------|------------|------------|-------------|------------|--------|------|----------|-------|-------|---------------|
| No records were found for this cycle. | | | | | | | | | | | | | | | |

Lone Star Committee (C30002364)
24-Hour Notices Filed After Relevant Election

24-Hour Notices of Disbursements/Obligations for Electioneering Communications

| Name of Payee | Communication Date | Amount | Purpose of Disbursement (Including Title(s) of Communication(s)) | Candidate Referenced | Election | 24-Hour Notice Filed |
|----------------------------|--------------------|-------------|--|----------------------|-------------------------------------|----------------------|
| Elliott Curson Advertising | 2/1/16 | \$5,629.20 | Radio commercial: "Gold" | Ted Cruz | New Hampshire 2016 Primary 2/9/2016 | 2/10/2016 |
| Elliott Curson Advertising | 2/1/16 | \$38,400.00 | Radio commercial: "Gold" | Ted Cruz | New Hampshire 2016 Primary 2/9/2016 | 2/10/2016 |
| Elliott Curson Advertising | 2/3/16 | \$4,636.19 | Radio commercial: "Gold" | Ted Cruz | New Hampshire 2016 Primary 2/9/2016 | 2/10/2016 |
| | TOTAL | \$48,665.39 | | | | |