

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: November 5, 2018

ANALYST: Jamie Amrhein

I. COMMITTEE: The Congressman Joe Barton Committee
C00195065
Kristin E. Barton, Treasurer
P.O. Box 1444
Ennis, TX 75120

II. RELEVANT STATUTE: 11 CFR § 102.9(e)
11 CFR § 110.1(b)(3)
11 CFR § 110.2(b)(3)

III. BACKGROUND:

Excessive, Prohibited and Other Impermissible Contributions (Failure to Refund or Redesignate General Election Contributions within the Permissible Timeframe after the Candidate's Withdrawal from the Primary Election)

The Congressman Joe Barton Committee ("the Committee") received 2018 General Election contributions from twenty (20) individuals, two (2) multicandidate political action committees, and one (1) principal campaign committee that were not refunded or redesignated within the permissible timeframe from the date Joe Linus Barton ("the Candidate") withdrew from the 2018 Primary Election. The contributions total \$49,062.50 as disclosed on the 2016 July Quarterly, 2017 April Quarterly, 2017 July Quarterly, 2017 October Quarterly, and 2017 Year-End Reports (Attachment2).

2016 July Quarterly Report

During the 2016 July Quarterly reporting period, the Committee received a 2018 General Election contribution totaling \$2,700.00 from one (1) individual that was not refunded or redesignated within the permissible timeframe (Attachment 2).

2017 April Quarterly Report

During the 2017 April Quarterly reporting period, the Committee received 2018 General Election contributions totaling \$8,100.00 from three (3) individuals that were not refunded or redesignated within the permissible timeframe (Attachment 2).

2017 July Quarterly Report

During the 2017 July Quarterly reporting period, the Committee received 2018 General Election contributions totaling \$23,412.50 from nine (9) individuals and one (1) principal campaign committee that were not refunded or redesignated within the permissible timeframe (Attachment 2).

2017 October Quarterly Report

During the 2017 October Quarterly reporting period, the Committee received 2018 General Election contributions totaling \$13,850.00 from seven (7) individuals and one (1) multicandidate political action committee that were not refunded or redesignated within the permissible timeframe (Attachment 2).

2017 Year-End Report

During the 2017 Year-End reporting period, the Committee received a 2018 General Election contribution totaling \$1,000.00 from one (1) multicandidate political action committee that was not refunded or redesignated within the permissible timeframe (Attachment 2).

On November 30, 2017, the Candidate announced he will no longer seek reelection to Texas's 6th Congressional District in 2018.

On May 28, 2018, a Request for Additional Information ("RFAI") referencing the 2017 Year End Report was sent to the Committee. The RFAI noted the Committee's receipt of 2018 General Election contributions and requested that the Committee refund or redesignate the contributions since the Candidate would not participate in the 2018 General Election.

On July 2, 2018, the Committee filed a Miscellaneous Electronic Submission (FEC Form 99) that stated: "All the donations listed in the May 28 RFAI have been refunded. All of the checks were written June 29 and mailed to the individual donors. The refunds will appear on our July quarterly report" (Image 201807029115204589).

On July 27, 2018, the Reports Analysis Division (RAD) Analyst spoke with Carol Bouldin, the Assistant Treasurer of the Committee, to notify her that the Committee would be referred to another Commission office for potential further action because their refunds of the General Election contributions were made outside the permissible timeframe. The Analyst advised Ms. Bouldin that the Committee could provide further clarification for the public record in a FEC Form 99 (Attachment 4).

On August 3, 2018, the Committee filed an FEC Form 99 that stated: "We returned the general election donations late because we were unaware of the requirement to do so. However, as soon as the FEC alerted us about the requirement we returned the donations" (Image 201808039119352053).

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

10-10-2018-11-10-2018

O-Index (2017-2018)

Cmtle. ID: C00195065 Cmtle. Name: THE CONGRESSMAN JOE BARTON COMMITTEE
 Treasurer Name: BARTON, KRISTINE Address: P.O. BOX 1444, ENNIS, TX 75120
 Cmtle. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE) Filing Frequency: QUARTERLY FILER

Form Tp	Rpt Tp	A/I	Recept Dt	Pgs	Cmtle. Type: H (HOUSE)	Recept Dt	End Cvg Dt	Begin Cvg Dt	Begin Img#	Begin Cash	Recepts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-T			2/8/2017	15		2/8/2017			201702080300140412							
MS-T			7/2/2018	1		7/2/2018			201807029115204589							
MS-T			8/3/2018	1		8/3/2018			201808039119352053							
RQ2	YE	N	5/28/2018	3		5/28/2018	12/31/2017	10/1/2017	201805280300010717							
F3N	Q1	N	4/15/2017	145		4/15/2017	3/31/2017	1/1/2017	201704159052271314	\$421,386	\$114,257	\$170,738	\$384,905	-	\$89,191	\$89,191
F3N	Q2	N	7/15/2017	113		7/15/2017	6/30/2017	4/1/2017	201707159066743203	\$384,905	\$196,055	\$172,419	\$388,540	-	\$52,499	\$52,499
F3N	Q3	N	10/15/2017	101		10/15/2017	9/30/2017	7/1/2017	201710159075681097	\$388,540	\$124,747	\$121,745	\$391,543	-	\$46,666	\$46,666
F3N	YE	N	1/31/2018	70		1/31/2018	12/31/2017	10/1/2017	201801319091318506	\$391,543	\$69,129	\$141,885	\$318,786	-	\$34,999	\$34,999
F3N	12P	N	2/22/2018	32		2/22/2018	2/1/2018	1/1/2018	201802229095519212	\$318,786	\$6,506	\$84,120	\$241,173	-	\$32,083	\$32,083
F3N	Q1	N	4/15/2018	30		4/15/2018	3/31/2018	2/1/2018	201804159108251415	\$241,173	\$13,644	\$38,826	\$188,702	-	\$29,166	\$29,166
F3N	12R	N	5/10/2018	16		5/10/2018	5/2/2018	4/1/2018	201805109112015092	\$188,702	\$2,395	\$40,530	\$150,566	-	\$26,249	\$26,249
F3N	Q2	N	7/11/2018	66		7/11/2018	6/30/2018	5/3/2018	201807119115365195	\$150,566	\$729	\$104,214	\$47,082	-	\$0	\$0
F3N	Q3	N	10/11/2018	24		10/11/2018	9/30/2018	7/1/2018	201810119124495487	\$47,082	\$60	\$11,794	\$35,349	-	\$0	\$0
F2A		N	3/6/2017	2		3/6/2017			201703069050755955							
F2A		A	7/12/2017	2		7/12/2017			201707129066603685							
FIA		A	7/12/2017	8		7/12/2017			201707129066603529							
Totals											\$500,237	\$886,274				

O-Index (2015-2016)

Cmtle. ID: C00195065 Cmtle. Name: THE CONGRESSMAN JOE BARTON COMMITTEE
 Treasurer Name: BARTON, KRISTINE Address: P.O. BOX 1444, ENNIS, TX 75120
 Cmtle. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE) Filing Frequency: QUARTERLY FILER

Form Tp	Rpt Tp	A/I	Recept Dt	Pgs	Cmtle. Type: H (HOUSE)	Recept Dt	End Cvg Dt	Begin Cvg Dt	Begin Img#	Begin Cash	Recepts	Disb	End Cash	Debits	Loans	Debits & Loans
F3N	Q1	N	4/15/2015	85		4/15/2015	3/31/2015	1/1/2015	15970348723	\$418,874	\$201,493	\$145,301	\$475,065	-	-	\$0
F3N	Q2	N	7/15/2015	129		7/15/2015	6/30/2015	4/1/2015	201507159000136572	\$475,065	\$183,383	\$179,288	\$479,181	-	-	\$0
F3N	Q3	N	10/15/2015	96		10/15/2015	9/30/2015	7/1/2015	201510159002918208	\$479,181	\$109,314	\$177,391	\$411,105	-	-	\$0
F3N	YE	N	1/29/2016	97		1/29/2016	12/31/2015	10/1/2015	2016012990004785437	\$411,105	\$180,395	\$129,187	\$462,312	-	-	\$0
F3N	12P	N	2/18/2016	63		2/18/2016	2/10/2016	1/1/2016	201602189008490468	\$462,312	\$30,195	\$152,819	\$339,688	-	-	\$0
F3N	Q1	N	4/15/2016	71		4/15/2016	3/31/2016	2/1/2016	201604159012444867	\$339,688	\$152,694	\$158,449	\$333,932	-	-	\$0
F3N	Q2	N	7/15/2016	115		7/15/2016	6/30/2016	4/1/2016	201607159020584414	\$333,932	\$153,842	\$154,182	\$333,592	-	-	\$0
F3N	Q3	N	10/15/2016	79		10/15/2016	9/30/2016	7/1/2016	201610159032641430	\$333,592	\$128,755	\$97,577	\$384,770	-	-	\$0
F3N	12G	N	10/27/2016	16		10/27/2016	10/19/2016	10/1/2016	201610279036872329	\$364,770	\$13,000	\$37,830	\$339,940	-	-	\$0
F3N	30G	N	12/8/2016	40		12/8/2016	11/28/2016	10/20/2016	201612089039800776	\$339,940	\$58,610	\$61,832	\$336,718	-	-	\$0
F3N	YE	N	1/31/2017	40		1/31/2017	12/31/2016	11/29/2016	201701319042330677	\$336,718	\$139,289	\$54,621	\$421,386	-	\$95,025	\$95,025
F6N			10/28/2016	1		10/28/2016			201610289037003621							
F6N			11/4/2016	1		11/4/2016			201611049037120484							
F6N			11/2/2016	2		11/2/2016			201611029037018731							
F6N			2/18/2016	1		2/18/2016			201602189008488704							
F6N			2/19/2016	1		2/19/2016			201602199008498797							
F6N			2/22/2016	1		2/22/2016			201602229009616683							
F6N			2/24/2016	1		2/24/2016			201602249009621207							
F6N			2/26/2016	1		2/26/2016			201602269009628354							
F6N			2/23/2016	1		2/23/2016			201602239009619046							
F6N			2/16/2016	2		2/16/2016			201602169008467339							

BOBENZOL

[illegible]

O-Index (2013-2014)																
Cmte. ID: C00195065		Cmte. Name: THE CONGRESSMAN JOE BARTON COMMITTEE														
Treasurer Name: BARTON, KRISTINE E		Address: P.O. BOX 1444, ENNIS, TX 75120														
Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE)		Filing Frequency: QUARTERLY FILER														
Cmte. Type: H (HOUSE)																
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans	
F3N	Q1	N	4/10/2013	73	13961279307	1/1/2013	3/31/2013		\$905,926	\$155,864	\$114,988	\$946,793	-	-	\$0	
F3N	Q2	N	7/15/2013	105	13964079362	4/1/2013	6/30/2013		\$946,793	\$181,241	\$193,247	\$934,786	-	-	\$0	
F3N	Q3	N	10/15/2013	132	13941798122	7/1/2013	9/30/2013		\$934,786	\$183,518	\$229,490	\$888,814	-	-	\$0	
F3N	YE	N	1/30/2014	101	14940193400	10/1/2013	12/31/2013		\$888,814	\$143,091	\$175,057	\$866,848	-	-	\$0	
F3N	12P	N	2/20/2014	41	14940531735	1/1/2014	2/12/2014		\$856,848	\$20,660	\$161,060	\$675,127	-	-	\$0	
F3N	Q1	N	4/15/2014	95	14960724124	2/13/2014	3/31/2014		\$875,127	\$144,130	\$243,935	\$575,321	-	-	\$0	
F3N	Q2	N	7/15/2014	110	14961628086	4/1/2014	6/30/2014		\$575,321	\$154,834	\$174,864	\$555,291	-	-	\$0	
F3N	Q3	N	10/15/2014	88	14978264019	7/1/2014	9/30/2014		\$555,291	\$112,484	\$128,476	\$539,279	-	-	\$0	
F3N	12G	N	10/23/2014	16	14952422188	10/1/2014	10/15/2014		\$539,279	\$13,700	\$20,528	\$532,451	-	-	\$0	
F3N	30G	N	12/4/2014	62	14952918473	10/16/2014	11/24/2014		\$532,451	\$104,819	\$114,055	\$523,215	-	-	\$0	
F3N	YE	N	1/30/2015	31	15970161296	1/25/2014	12/31/2014		\$523,215	\$331	\$104,009	\$418,874	-	-	\$0	
F2N		N	6/17/2013	1	13962846122					-	-	-	-	-	-	
F1A	A	A	9/25/2013	9	13941666795					-	-	-	-	-	-	
F2A	A	A	9/25/2013	1	13941666804					-	-	-	-	-	-	
F6N			10/28/2014	1	14952553851					-	-	-	-	-	-	
F6N			11/1/2014	1	14952564121					-	-	-	-	-	-	
F6N			10/30/2014	2	14952561862					-	-	-	-	-	-	
F6N			2/19/2014	2	14940513640					-	-	-	-	-	-	
F6N			2/20/2014	1	14940528893					-	-	-	-	-	-	
F6N			2/26/2014	1	14940541030					-	-	-	-	-	-	
F6N			2/24/2014	1	14940535737					-	-	-	-	-	-	
F6N			2/28/2014	2	14960485098					-	-	-	-	-	-	
F6N			10/20/2014	1	14951792153					-	-	-	-	-	-	
F6N			10/24/2014	2	14952547290					-	-	-	-	-	-	
F6N			10/27/2014	1	14952551751					-	-	-	-	-	-	
F6N			10/22/2014	1	14951900435					-	-	-	-	-	-	
Totals															\$1,172,672	\$1,659,795

The Congressman Joe Barton Committee (C00195065)
2018 General Election Contributions Not Refunded and/or Refunded Outside Permissible Timeframes, Listed by Contributor

Name	Date	Contribution Amount	Amount Not Refunded within Timeframe	Refunded # Days since Withdrawal from Race
ALLISON, ROBERT J. MR JR	6/19/2017	\$2,700.00		
ALLISON, ROBERT J. MR JR	6/29/2018	-\$2,700.00	\$2,700.00	211
BEAL, ANDREW MR.	6/16/2017	\$2,700.00		
BEAL, ANDREW MR.	6/29/2018	-\$2,700.00	\$2,700.00	211
BEVELHYMER, DARRELL W. MR	3/13/2017	\$2,700.00		
BEVELHYMER, DARRELL W. MR	6/29/2018	-\$2,700.00	\$2,700.00	211
CLARK, ELLOINE	2/27/2017	\$2,700.00		
CLARK, ELLOINE	6/29/2018	-\$2,700.00	\$2,700.00	211
CROW, ROBERT NATHANIEL	8/9/2017	\$2,700.00		
CROW, ROBERT NATHANIEL	6/29/2018	-\$2,700.00	\$2,700.00	211
DAVIS, RAY C	5/22/2017	\$2,300.00		
DAVIS, RAY C	6/29/2018	-\$2,300.00	\$2,300.00	211
ELLER, DAVID G. MR.	9/21/2017	\$300.00		
ELLER, DAVID G. MR.	6/29/2018	-\$300.00	\$300.00	211
HILL, AL G. MR. JR.	6/15/2016	\$2,700.00		
HILL, AL G. MR. JR.	6/29/2018	-\$2,700.00	\$2,700.00	211
HOGLUND, FORREST E. MR.	3/13/2017	\$2,700.00		
HOGLUND, FORREST E. MR.	6/29/2018	-\$2,700.00	\$2,700.00	211
HUNT, WILLIAM HERBERT MR.	6/15/2017	\$2,700.00		
HUNT, WILLIAM HERBERT MR.	6/29/2018	-\$2,700.00	\$2,700.00	211
JONES, BOB. MR.	6/6/2017	\$300.00		
JONES, BOB. MR.	6/29/2018	-\$300.00	\$300.00	211

MCLANE, DRAYTON MR. JR.	8/14/2017	\$1,000.00			
MCLANE, DRAYTON MR. JR.	6/29/2018	-\$1,000.00	\$1,000.00		211
MEAD, DARLENE	8/18/2017	\$1,350.00			
MEAD, DARLENE	6/29/2018	-\$1,350.00	\$1,350.00		211
MEYERS, ERIC RYAN MR. JR.	8/1/2017	\$2,700.00			
MEYERS, ERIC RYAN MR. JR.	6/29/2018	-\$2,700.00	\$2,700.00		211
NAU, JOHN L. MR. III	6/6/2017	\$2,700.00			
NAU, JOHN L. MR. III	6/29/2018	-\$2,700.00	\$2,700.00		211
PIONEER NATURAL RESOURCES USA, INC. PAC	9/20/2017	\$2,500.00			
PIONEER NATURAL RESOURCES USA, INC. PAC	6/29/2018	-\$2,500.00	\$2,500.00		211
ROGERS, RICHARD R. MR.	4/17/2017	\$2,300.00			
ROGERS, RICHARD R. MR.	5/19/2017	\$312.50			
ROGERS, RICHARD R. MR.	6/29/2018	-\$2,612.50	\$2,612.50		211
RYAN FOR CONGRESS	4/10/2017	\$2,000.00			
RYAN FOR CONGRESS	6/29/2018	-\$2,000.00	\$2,000.00		211
SEALE, ROBERT MR.	6/15/2017	\$2,700.00			
SEALE, ROBERT MR.	6/29/2018	-\$2,700.00	\$2,700.00		211
SHEFFIELD, SCOTT D. MR.	9/20/2017	\$2,300.00			
SHEFFIELD, SCOTT D. MR.	6/29/2018	-\$2,300.00	\$2,300.00		211
SHELTON, GEORGE	8/11/2017	\$1,000.00			
SHELTON, GEORGE	6/29/2018	-\$1,000.00	\$1,000.00		211
TAYLOR, PHYLLIS MRS.	6/6/2017	\$2,700.00			
TAYLOR, PHYLLIS MRS.	6/29/2018	-\$2,700.00	\$2,700.00		211
TOYOTA MOTOR NORTH AMERICA, INC. PAC (TOYOTA/LEXUSPAC)	11/10/2017	\$1,000.00			
TOYOTA MOTOR NORTH AMERICA, INC. PAC (TOYOTA/LEXUSPAC)	6/29/2018	-\$1,000.00	\$1,000.00		211
Total Amount Not Refunded and/or Refunded Outside Permissible Timeframes:				\$49,062.50	

The Congressman Joe Barton Committee (C00195065)
Breakdown of Remedied and Unremedied Excessive Contributions (all reports)

Total Amount Remedied Outside of the Permissible Timeframe (all reports):	\$49,062.50
Total Amount Unremedied (all reports):	\$0.00
Total Amount Not Remedied within the Permissible Timeframe (all reports):	\$49,062.50