

REPORTS ANALYSIS DIVISION REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: February 12, 2019

ANALYST: Nataliya Ioffe

I. COMMITTEE: Maryott for Congress
C00666859
Richard K. Frank, Treasurer
31726 Rancho Viejo Rd., Ste. 101
San Juan Capo, CA 92675

II. RELEVANT STATUTE: 52 U.S.C. § 30104(b)(4)
11 CFR §104.3(b)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Maryott for Congress (“the Committee”) amended its 2018 12 Day Pre-Primary Report to disclose additional disbursements of \$154,134.00, which were not included in the original report (Attachment 2).

On May 26, 2018, the Committee filed the original 2018 12 Day Pre-Primary Report covering the period from April 1, 2018 through May 16, 2018. The report disclosed \$138,211.63 on Line 17 (Operating Expenditures) and \$0.00 on Line 21 (Other Disbursements) of the Detailed Summary Page (Image 201805269113618316).

On June 27, 2018, the Committee filed an Amended 2018 12 Day Pre-Primary Report that disclosed \$138,301.63 on Line 17 and \$114,806.00 on Line 21 of the Detailed Summary Page (201806279115195376).

On July 10, 2018, the Committee filed the second Amended 2018 12 Day Pre-Primary Report that disclosed \$292,345.63 on Line 17 and \$0.00 on Line 21 of the Detailed Summary Page. This amendment disclosed a \$154,134.00 increase in operating expenditures from the original report (Image 201807109115296589).

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On September 24, 2018, a Request for Additional Information (RFAI) was sent to the Committee, referencing the Amended 12 Day Pre-Primary Report, received July 10, 2018. The RFAI requested clarification regarding the substantial increase in disbursements disclosed in the amended report (Image 201809240300020543).

On November 2, 2018, the Reports Analysis Division (RAD) Analyst called the Committee's Treasurer, Richard K. Frank, concerning the September 24, 2018 RFAI. The RAD Analyst explained that the RFAI sent regarding the Amended 2018 12 Day Pre-Primary Report cited an increase of \$154,134.00 in operating expenditures, which may be referable for further Commission action. The Analyst requested the Treasurer verify that the information disclosed in the Amended 2018 12 Day Pre-Primary Report was accurately reported, and suggested he file a Miscellaneous Text Submission ("FEC Form 99") to explain the discrepancy between the original report and the amendment. Mr. Frank said he would look into the issue and call the Analyst the following week (Attachment 3).

On November 5, 2018, Mr. Frank called the RAD Analyst to confirm that he verified that the activity disclosed in the Amended 2018 12 Day Pre-Primary Report was accurate. He stated he filed an FEC Form 99 explaining why the Committee failed to disclose the activity in its original report (Attachment 3).

On the same date, the Committee filed an FEC Form 99 stating, in part:

"The vast majority of the discrepancy in the committee's initial report as is [sic] relates to the amended report was due to the oversight of not reporting disbursements made to our media buyer, Oceanbridge Media, totaling \$114,806. When filing the original report, we mistakenly only used checks drawn on the committee's bank account. The payments to Oceanbridge Media were made via wire transfer and those payments were inadvertently overlooked. As soon as we became aware of the oversight, we filed an amendment to that filing" (Image 201811059133589313).

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

O-Index (2019-2020)									
Cmte. ID: C00666859 Cmte. Name: MARYOTT FOR CONGRESS									
Treasurer Name: FRANK, RICHARD K Address: 31126 RANCHO VIEJO RD STE 101, SAN JUAN CAPO, CA 92675									
Cmte. Type: H (HOUSE)	Cmte. Designation: P (PRINCIPAL CAMPAIGN TEAM OF A CANDIDATE)	Begin Img#	Form Type	Rpt To P	A/l	Receipt Dt	Pgs	Begin Cash	End Cash
								Ltr/Mail Dt	Disb
								Recpts	Debts
								Loans	Debts & Loans
									No records were found for this cycle.

O-Index (2015-2016) Cmte. ID: C00666859 Cmte. Name: MARYOTT FOR CONGRESS
 Treasurer Name: FRANK, RICHARD K Address: 31126 RANCHO VIEJO RD STE 101, SAN JUAN CAPO, CA 92675
 Cmte. Type: H (HOUSE) Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE) Filing Frequency: QUARTERLY FILER
 Form Tp Rpt Tp A/l Recpt Dt Begin Img# Pgs Recpt Dt 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.

Maryott for Congress (C00666859)

2018 12 Day Pre-Primary Report/Amended 2018 12 Day Pre-Primary Report, received
7/10/2018

Overview of Additional Disbursements

Report Line	Original 2018 12 Day Pre- Primary Report (Image 201805269113 618316)	Amended 2018 12 Day Pre-Primary Report, received 7/10/2018 (Image 20180710911529658 9)	Variance Amount
Line 17: Operating Expenditures	\$138,211.63	\$292,345.63	\$154,134.00
		Total:	\$154,134.00