



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

RQ-2

Jeffrey J. DiSantis, Treasurer
Georgia Federal Elections Committee
Attn: Megan Middleton
1100 Spring Street, Suite 710
Atlanta, GA 30309

JUL 16 2003

Identification Number: C00041269

Reference: Amended 30 Day Post-General Report (10/17/02-11/25/02), received
7/2/03

Dear Mr. DiSantis:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the primary election; however, the funds were disbursed after the election date(s) (pertinent portion(s) attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent

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to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

-Schedule A supporting Line 12 discloses a transfer(s)-in from the Democratic Congressional Campaign Committee, the Democratic National Committee and the Democratic Senatorial Campaign Committee. Schedule H4 supporting Line 21(a) reflects payments for "Direct Mail Production," "Printing" and "Telemarketing". Please be advised that a state or local party committee may pay for campaign materials (such as bumper stickers) that are distributed by volunteers in connection with activity on behalf of the party's nominees in a general election. Payments for this type of activity are exempt from the definition of a contribution or expenditure if certain conditions are met. The conditions are that no public advertising may be used, including distribution by direct mail (mailings by a commercial vendor or from commercial lists); all funds used for the activity must be permitted under the Act; none of the funds used may have been designated for a particular candidate; and finally, payments for the activity may not be made from transfers-in from the national committee to specifically fund the activity. For further guidance, please refer to 11 CFR §100.7(b)(15) and (17) and to the Campaign Guide for Party Committees.

Please clarify the nature of the transfer(s)-in and subsequent payments for the aforementioned disbursement(s). If the activity disclosed on your report does not meet the definition of "exempt" activity as described above and if any portion of the expenditures were made on behalf of specifically identified candidates, that amount must be disclosed on Schedule B or F supporting Line 23 or 25 of the Detailed Summary Page as appropriate.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) B and H4 of your report to clarify the following description(s): "Consultant Retainer," "Contract Labor," "Consulting Fee," "Election Night Event," "Expense Reimbursement," "MEMO-See Sch. F XPOST Election," "Polling, S6GA27," "Temp Contractors" and "Temp Employment." For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

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-Please clarify all expenditures for "Consulting fee; GOTV" and "GOTV - Meeting Room Rental." If any of these activities referenced House or Senate candidates, they should be allocated accordingly, unless merely incidental to the overall activity. If a portion or all of these expenditures were made on behalf of federal candidates, they should be reported on Schedules B, E or F for Lines 23, 24 or 25 of the Detailed Summary Page, as appropriate.

-On Schedule H4 supporting Line 21(a) of the Detailed Summary Page you disclose a disbursement to IEM Message Management, LLC for a coordinated expenditure with the federal share memo totaling \$11,750 and a purpose of "MEMO -- See Schedule F XPOST Election." However, there is no coordinating Schedule F for this disbursement. Please amend your report to include this disbursement on Schedule F supporting Line 25 of the Detailed Summary Page.

-Schedule H4 of your report discloses a disbursement for the Administrative / Voter Drive Category to IEM Message Management, LLC where the federal share is a memo entry and includes a notation referring to a coordinating Schedule F. Please be advised that all activity disclosed on Schedule H4 where the federal portion supports a federal candidate should be should be categorized as DIRECT CANDIDATE SUPPORT using either the Funds Received or Time / Space Ratio method of allocation as disclosed on a Schedule H2. In addition, this activity is also reported as 100% federal activity, which by definition does not meet the requirements to be allocated between your federal and non-federal accounts. Please amend your report to clarify these discrepancies and include any missing schedules as needed.

-You have made disbursements for "Direct Mail Production" which you have characterized as exempt activities. In order for an activity to be classified as exempt, it must meet the following conditions: (1) For slate cards and sample ballots: it names at least three candidates running for election to any public office, it is not distributed through public political advertising (including broadcast media, newspapers, magazines, and billboards), the content is limited to the identification of each candidate, the office or position currently held, the office sought and party affiliation, and the costs allocable to federal candidates are paid with permissible funds; (2) For campaign materials: the activity is conducted on behalf of the party's nominees in the general election, the materials are distributed by volunteers--not through public political advertising, the party committee does not use materials purchased by the national party committee or money

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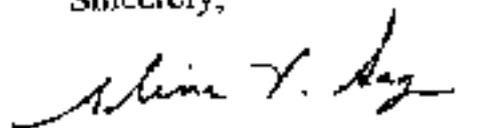
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transferred from the national committee to purchase materials, the party committee does not use funds designated for a particular federal candidate, a payment from a non-federal campaign to help pay for the materials does not exceed its allocated share of the expenses, and the costs allocable to federal candidates are paid with permissible funds; (3) For voter drives: the activity is on behalf of the party's Presidential and Vice Presidential nominees, the activity does not involve the use of public political advertising such as television, radio, newspapers, magazines, billboards or direct mail, phone banks are operated by volunteers (although paid professionals may design the system, develop calling instructions and train supervisors), the party committee does not use funds transferred by the national party committee for voter drive activities, the party committee does not use funds designated for a particular federal candidate, and the cost allocable to federal candidates are paid with permissible funds.

If the activity disclosed on your report does not meet the definition of "exempt" activity as described above, and if any portion of the expenditures were made on behalf of specifically identified candidates, this amount must be disclosed on Schedule B or F supporting Line 23 or 25 of the Detailed Summary Page as appropriate. Please provide the Commission with a more detailed explanation of these activities.

A response or amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. 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. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Alissa V. Sagri
Campaign Finance Analyst
Reports Analysis Division

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

| | | | | | |
|------------------------------------|-----------------------------------|---|------------------------------------|------------------------------------|-----------------------------|
| <input type="checkbox"/> 21b 25 | <input type="checkbox"/> 22 27 | <input checked="" type="checkbox"/> 23 28a | <input type="checkbox"/> 24 28b | <input type="checkbox"/> 25 28c | <input type="checkbox"/> 29 |
|------------------------------------|-----------------------------------|---|------------------------------------|------------------------------------|-----------------------------|

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in Full)
Georgia Federal Elections Committee

A. Elect Charles Walker Jr. to

Full Name (Last, First, Middle Initial)
Elect Charles Walker Jr. to

Date of Disbursement
10 / 31 / 2002

Mailing Address
U.S. Congress
418 Greene Street
City: Augusta State: GA Zip Code: 30901

Amount of Each Disbursement this Period
5000.00

Purpose of Disbursement
CONTRIBUTION

Candidate Name
Category/Type
CONTRIBUTION

Office Sought: House Senate President
Disbursement For: 2002 Primary X General Other (specify) ▼

State: District:

Transaction ID: 1203200253E23773

B. Friends of Roger Kahn

Full Name (Last, First, Middle Initial)
Friends of Roger Kahn

Date of Disbursement
10 / 31 / 2002

Mailing Address
1368 Veterans Memorial Hwy.
City: Mableton State: GA Zip Code: 30126

Amount of Each Disbursement this Period
5000.00

Purpose of Disbursement
2002 CONTRIBUTION

Candidate Name
Category/Type
GA Primary Runoff:
9/10/02
2002 CONTRIBUTION

Office Sought: House Senate President
Disbursement For: 2002 X Primary General Other (specify) ▼

State: District:

Transaction ID: 1202200257E23521

C. Friends of Roger Kahn

Full Name (Last, First, Middle Initial)
Friends of Roger Kahn

Date of Disbursement
10 / 31 / 2002

Mailing Address
1368 Veterans Memorial Hwy.
City: Mableton State: GA Zip Code: 30126

Amount of Each Disbursement this Period
5000.00

Purpose of Disbursement
2002 CONTRIBUTION

Candidate Name
Category/Type
2002 CONTRIBUTION

Office Sought: House Senate President
Disbursement For: 2002 Primary X General Other (specify) ▼

State: District:

Transaction ID: 1202200257E23522

SUBTOTAL of Disbursements This Page (optional) **15000.00**

TOTAL This Period (last page this line number only)

2023-03-24 14:10:15