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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 15, 2004

Brent Anderson, Treasurer
Massachusetts Republican State Congressional
Committee
85 Merrimac Street, Suite 400, Room 526
Boston, MA 02114

Response Due Date:
November 15, 2004

Identification Number: C00042622

Reference: Amended June Monthly Report (5/1/04-5/31/04), received 8/17/04

Dear Mr. Anderson:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(c) prohibit a state, district or local party committee (combined) from receiving any contribution from a person or non-multicandidate political committee in excess of \$10,000 per calendar year.

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

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

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Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the retribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek retribution, transfer-out or refund the excessive amount will be taken into consideration.

-Schedule A of your report (see attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. The Act prohibits a state, district or local party committee (combined) from receiving contributions from a non-multicandidate political committee or person in excess of \$10,000 per calendar year. 2 U.S.C. §441a(f)

The Commission notes your transfer out of the excessive contribution(s) disclosed on your 2004 September Monthly Report. Although the Commission may take further legal action concerning the acceptance of an excessive contribution(s), your prompt action in refunding or transferring-out the contribution(s) will be taken into consideration.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) B of your report to clarify the following description(s): "CONSULTING", "GENERAL ADVICE CONSULTING (NOT FEA)", "REIMBURSEMENT", "REIMBURSEMENT- NON-FA EXP", "EVENT OPERATION" and "EVENT." 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 made for "EVENT", "EVENT OPERATION" and "EVENT CATERING- NOT FEA" on Schedule(s) B. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedules B, E or F supporting Lines 23, 24 or 25 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

-Schedule B supporting Line 21(b) of your report discloses a payment(s) totaling \$392.50 for "PHOTOGRAPY" and "POSTAGE-POSTAGE/SHIPPING". Expenditures and disbursements for public communications (as defined under 11 CFR §100.26) that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate, rather than on Schedule B for Line 30(b). Please amend your report to properly disclose this activity or provide clarifying information.

-Please amend your report by providing the purpose for each disbursement itemized on Schedule(s) B supporting Line(s) 30(b).

-Your report disclosed certain categories of financial activity that have been reflected on the wrong lines of the Detailed Summary Page. Offsets to operating expenditures should be properly disclosed on a separate Schedule(s) A, supporting Line(s) 15 of the Detailed Summary Page. Contributions to Federal candidates should be properly disclosed on a separate Schedule B supporting Line 23 of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action

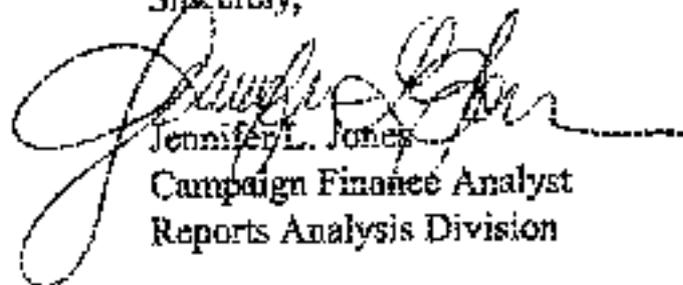
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against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

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 should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1393.

Sincerely,



Jennifer L. Jones
Campaign Finance Analyst
Reports Analysis Division

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Excessive Contribution From an Individual

Contributor Name	Date	Amount	Report
Bruce Evans	02/27/2004	\$5,000	2004 March Monthly Report
Bruce Evans	05/06/2004	\$10,000	2004 June Monthly Report

Excessive Contribution From an Individual (Corrective Action Taken)

Contributor Name	Date	Amount	Report
Paul Marcus	05/20/2004	\$15,000	2004 June Monthly Report

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