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March 19, 1997

VIA FEDERAL EXPRESS

J.P. Andre, Jr.  
Reports Analyst, Reports Analysis Division  
Federal Election Commission  
Washington, DC 20463

RE: Identification No: C00041269; 30-day Post-General Report (10-17-96 -- 11-25-96)

Dear Mr. Andre:

I am writing to you in my capacity as General Counsel to the Democratic Party of Georgia, in response to your letter dated March 5, 1997, to Steve Anthony, Treasurer, Georgia Federal Elections Committee (the "Committee"). In your letter, you raised three issues, each of which will be addressed below.

1. Schedule H 4, Line 21(a).

The first issue you raise refers to Schedule H 4, supporting Line 21(a) of the Detailed Summary Page, in which Mr. Anthony failed to check the appropriate CATEGORY box for the payment(s) made for what appears to be various exempt activity. I will promptly send to you under separate cover an amended report to disclose the appropriate category.

2. Transfers of Excess Campaign Funds from Friends of Max Cleland for the U.S. Senate, Inc. Dated October 25, 1996 and October 28, 1996.

In your letter you raise two issues with respect to the transfers from Friends of Max Cleland for the U.S. Senate, Inc. to the Committee. First you contend that the report "discloses a contribution from an organization which is not a political committee registered with the Commission." It appears that in Item D of Schedule A of the Georgia Federal Elections Committee's Report, a comma was inadvertently omitted in the name of the party from whom the Committee received transfers. An amended Schedule A will promptly be sent to you under

ONE PEACHTREE CENTER  
303 PEACHTREE STREET • SUITE 3300 • ATLANTA, GEORGIA 30308  
404 527-4000 • FACSIMILE 404 527-4188

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701 PENNSYLVANIA AVENUE, N.W. • SUITE 600 • WASHINGTON, D.C. 20004  
202 524-1200 • FACSIMILE 202 524-1298

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March 19, 1997  
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separate cover properly denominating Friends of Max Cleland for the U.S. Senate, Inc. as the party from whom the Committee received the transfers to which your letter refers.

The second issue you raise with respect to the transfers from Friends of Max Cleland for the U.S. Senate, Inc. is that the contribution appears to exceed the limits set forth in the Act. The amounts transferred on October 25, 1996 and October 28, 1996 were "excess campaign funds" pursuant to 2 U.S.C. 439a and 11 C.F.R. § 113.2, as substantiated by the enclosed letter from the Chairman of Friends of Max Cleland for the U.S. Senate, Inc., and therefore are not subject to limitation.

3. Transfer from Unity, '96.

The third issue you have raised refers to Item E on Schedule A, a \$20,000 transfer from the State Party Committee of North Carolina. The proper name of the entity which transferred the funds to the Committee is "Unity '96" and a revised Schedule A properly identifying the entity which made the transfer will be promptly sent to you under separate cover. This contribution does not exceed any limit set forth in the Act because transfers among party committees are unlimited under the Act. See C.F.R. § 110.3(e)(1).

If you have any questions regarding the foregoing, please do not hesitate to contact me.

Sincerely yours,



David L. Balser  
General Counsel,  
Democratic Party of Georgia

Enclosure  
cc: Steve Anthony

# Take Georgia to the **MAX!**

**MAX CLELAND**  
FOR U.S. SENATE, 1996

**FRIENDS OF MAX CLELAND  
CAMPAIGN COMMITTEE**

March 19, 1997

Mr. Steve Anthony, Treasurer  
Georgia Federal Elections Committee  
1100 Spring Street, Suite 710  
Atlanta, GA 30309

Dear Mr. Anthony:

I am writing this letter to you in my capacity as Chairman of Friends of Max Cleland for the U.S. Senate, Inc. (the "Cleland Committee") regarding transfers of funds from the Cleland Committee on October 25, 1996 in the amount of \$30,000 and on October 28, 1996 in the amount of \$30,000 (the "Transfers") to Victory '96, a political committee of the Democratic Party of Georgia. With respect to the Transfers, a determination was made by the Cleland Committee that all of the funds transferred from the Cleland Committee to Victory '96 on October 25, 1996 and October 28, 1996 constituted "excess campaign funds" pursuant to 2 U.S.C. 439a and 11 C.F.R. 113.2.

Sincerely yours,



Stephen R. Leeds  
Chairman, Friends of Max Cleland  
for the U.S. Senate, Inc.

Federal Election Commission  
**ENVELOPE REPLACEMENT PAGE  
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

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and/or DATE OF RECEIPT

*SES*  
PREPARER

3-21-97  
DATE PREPARED