



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 13, 2011

Helene Keeley, Treasurer
Democratic State Committee (Delaware)
P.O. Box 2065
Wilmington, DE 19899

**Response Due Date:
May 18, 2011**

Identification Number: C00211763

Reference: 30 Day Post-General Report (10/14/10-11/22/10)

Dear Treasurer:

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. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 8 items:

1. Schedule A supporting Line 11(c) of your report discloses a receipts from "John Carney for Congress," and "Chris Coons for Delaware," which requires further clarification. For example, if this activity represents a transfer of funds, please indicate "transfer" on Schedule A supporting Line 11(c) of your report. If this activity represents a reimbursement for services provided to this committee, please indicate this on Schedule A supporting Line 15 of your report. Please amend your report to clarify the type of activity this receipt(s) represents.
2. Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule H6 of your report to clarify the following descriptions: "Coordinated Campaign GOTV Piece." For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).
3. Please amend your report by providing the purpose for each disbursement itemized on Schedules B, H4, and H6 supporting Lines 30(b), 21(a), and 30(a), respectively.
4. Please provide a Schedule L-A to support the entry disclosed on Line 8 of the Schedule L Aggregation Page. All receipts of Levin Funds

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aggregating \$200 or more per year must be itemized on Schedule L-A. Receipts of Levin funds that aggregate less than \$200 should be disclosed on Line 1(b) as Unitemized. 11 CFR §300.36(b)(2)(iv)

5. Schedule B supporting Line 30(b) of your report discloses a payments for "Direct Mail," "Printing," "Radio," and "Robo-Calls," which is categorized as Federal Election Activity and therefore, may require the disclosure of the candidate(s) this activity should be attributed to. Expenditures and disbursements for public communications 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, please be advised that 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 clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

6. Schedule H4 of your report discloses a \$31.60 transfer to your non-federal account for the non-federal portion of a rebate received for a previously allocated expense. However, it appears that the original disbursements have not been reported by your committee. Please provide dates for when these checks were originally disbursed. Also, please clarify if and when these voided checks were reissued. If they were not reissued, please clarify the steps your committee has taken to account for the federal portion of these voided or returned checks in order to avoid the acceptance of a prohibited in-kind contribution.

7. Schedule H4 of your report discloses payments to "Voter Activation Network," which are categorized as Administrative expenses; however, the purposes of disbursement disclosed are "Voter File." Please be advised that payments made for your committee's generic voter drive activities, should be categorized as Voter Drive expenses on Schedule H4. Please amend your report to clarify the appropriate category for these activities or provide clarifying information regarding these apparent discrepancies.

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8. Please clarify all expenditures made for "Event Facility," and "DJ" on Schedule H4. 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 supporting Lines 23 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

Alternatively, if the payment(s) on Schedule H4 is associated with fundraising activity conducted for your committee's federal and non-federal accounts, it must be allocated according to the funds received method and the ratio reflected on Schedule H2. Further, it must be categorized as a fundraising activity on Schedule H4. Please provide clarifying information regarding the nature of this transaction(s) and amend your report(s) as appropriate.

- Schedule B supporting Line 21(b) of your report discloses a payments for "Online Voter File Access In-Kind" which appears to be disclosed on the wrong line of the Detailed Summary Page. Please be advised that Voter Identification, Generic Campaign and Get-out-the-vote activity conducted in connection with an election in which one or more candidates for Federal office appear on the ballot is considered to be Federal Election Activity. 11 CFR §100.24 Please amend your report to properly disclose this activity on Line 30(b) or provide clarification regarding this activity.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action 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. **Requests for extensions of time in which to respond will not be considered.**

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) 694-1164.

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Sincerely,


Nicole Miller
Campaign Finance Analyst
Reports Analysis Division

317

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