



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 8, 2008

RQ-2

Keith A. Davis, Treasurer
National Republican Congressional Committee
320 First Street
Washington, DC 20003

Response Due Date:
November 10, 2008

Identification Number: C00075820

Reference: Amended August Monthly Report (7/1/08 – 7/31/08), received 8/26/08

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 5 items:

1. Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the 2008 Primary election; however, the funds were disbursed after the election date(s) (see 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 the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

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.

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

2. Your report discloses in-kind activity which appears to be reported incorrectly. Please be advised that in-kind contributions made should be disclosed as a non-memo entries to the candidates on Schedule B supporting Line 23 and as a memo entry to the original vendor. You appear to have disclosed all transactions as memo entries, which would inflate the cash-on-hand amount. Please amend your report to properly disclose the in-kind activity.

3. Schedule A supporting Line 15 of your report discloses an offset to an operating expenditure(s) totaling \$9,132.50 from "Friends of Bill Posey," "People for English," "Porter for Congress," "Virginia Foxx For Congress" and "The Freedom Project"; however, your report(s) does not appear to disclose a disbursement to this entity. Please provide clarifying information regarding this activity and amend your report(s) if necessary.

4. Please clarify all expenditures made for "Catering" and "Fundraising Phone Calls" on Schedule 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

5. Schedule B discloses an expenditure(s) for "Direct Mail Expense," "Media," "Postage" and "Printing." If a portion or all of these expenditures were for public communications (as defined by 11 CFR §100.26) or voter drive activity (under 11 CFR §106.6(b)(2)(i)) containing express advocacy as defined under 11 CFR §100.22, this would constitute an in-kind contribution or an independent expenditure and should be properly disclosed on a Schedule B or E supporting Line 23 or 24 as appropriate. Public communications and voter drive activity that refer to a clearly identified Federal candidate, but that do not expressly advocate the election

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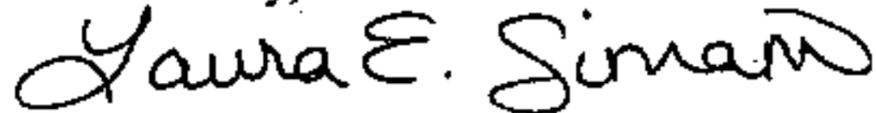
or defeat of that candidate should be reported on Schedule B for Line 21(b) of the Detailed Summary Page. Please clarify whether this activity contained express advocacy and amend your report to properly disclose this activity, if necessary.

-Be advised that you have used incorrect committee identification numbers for contributions disclosed on Schedule A supporting Line 11(c). Please file all future reports using correct identification numbers for contributions from other committees, where applicable, to avoid potential errors in entering these contributions onto the public record.

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) 694-1157.

Sincerely,



Laura E. Sinram
Senior Campaign Finance Analyst
Reports Analysis Division

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Contribution after Election Date

Recipient Name	Date	Amount	Election	Election State - Date
Jay Love for Congress Committee	7/24/08	\$5,000	P-2008	AL - 6/3/08

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