



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

John Hennessy, Treasurer  
Toby Roth for Congress 1996  
Committee  
512 W. College Avenue  
Appleton, WI 54911

Identification Number: C00140350

AUG 30 2000

Reference: April Quarterly Report (1/1/00-3/31/00)

Dear Mr. Hennessy:

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:

-On Schedule D of your previous report, you disclosed a debt(s) owed to Patrick Garvey. This obligation(s), however, has been omitted from this report. Please amend your report to include this debt(s) on Schedule D and Line 10 of the Summary Page. All debts and obligations must be disclosed until extinguished. 11 CFR §104.11

Please provide a Schedule A to support the entry reported on Line 16 of the Detailed Summary Page. All refunds received from federal candidates and committees must be itemized on Schedule A regardless of the amount of the refund. 2 U.S.C. §434(b)

-Please amend Schedule B supporting Line 23 by providing the office sought (House or Senate), state, and congressional district, if applicable, for each contribution made. 11 CFR §104.3(b)(3)(ii) and (v)

-Your report discloses limited payments for administrative expenses. Administrative expenses are payments made for the purpose of operating a political committee including, but not limited to, rent, utilities, salaries, telephone service, office equipment and supplies. Any such payments to a

person aggregating in excess of \$200 in a calendar year must be disclosed on Schedule B, supporting Line 21(b) of the Detailed Summary Page. 2 U.S.C. §434(b)(5) If these expenses are being paid by a connected organization, your Statement of Organization must be amended to reflect this relationship. 2 U.S.C. §433(b)(2) In addition, if expenses have been incurred but not paid in a reporting period, the activity should be disclosed as a debt on Schedule D, if the obligation is \$500 or more, or outstanding for sixty days or more. 11 CFR §104.11

Any goods or services provided to your committee by a person, except volunteer activity (i.e., a person's time), would be considered an in-kind contribution from that person, and would be subject to the disclosure requirements of 2 U.S.C. §434(b)(3) and 11 CFR §104.13, and the limitations and prohibitions of 2 U.S.C. §§441a and 441b.

Clarification regarding administrative expenses should be disclosed during each two year election cycle beginning with the first report filed in the non-election year. Please verify that all expenses referenced above (i.e., rent, salaries, utilities, etc.) have been adequately disclosed. If these services have been provided by volunteers, please confirm this in writing.

-Schedule B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) precludes a non-multicandidate political committee and its affiliates, from making a contribution to a candidate for federal office in excess of \$1,000 per election. Please refer to the Campaign Guide for information on how a committee qualifies for multicandidate status.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If you have made an excessive contribution, you should notify the recipient and request a refund of the amount in excess of \$1,000 and/or notify the recipient in writing of your redesignation of the contribution. In the best interest of your committee, all refunds and redesignations should be made within sixty days of the treasurer's receipt of the contribution(s).

If your committee has met the criteria for multicandidate status, please file FEC FORM 1M "Notification of Multicandidate Status" with the Commission. The treasurer must file FEC FORM 1M prior to making a contribution of more than \$1,000 per candidate per election. 11 CFR §102.2(a)(3)

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund 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 the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

-Schedule B supporting Line 23 of your report discloses a contribution(s) to Sila 2000, Roberto Prats Palmero 2000, Willie 2000, Gramms for Senate, and Russell Schmidt for Mayor. Please clarify whether this is a federal committee(s), as there does not appear to be a committee(s) registered with the Commission under this name(s). In the event this is a non-federal committee(s), please disclose it on Schedule B supporting Line 29 of the Detailed Summary Page.

-All reports must bear an original signature of the treasurer or designated agent. Filing a photocopy of your report does not fulfill this requirement. Please file a report bearing an appropriate original signature. 2 U.S.C. §434(a)(1) and 11 CFR §104.14

A written response or an 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. 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,



Antoinette Kitchen  
Reports Analyst  
Reports Analysis Division

SCHEDULE B

ITEMIZED DISBURSEMENTS

Any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name & addr. of a political comm. to solicit from the comm.

Full Name of Committee:

A. Full Name, Address, Zip Purpose of Disbursement Date Disburse Memo

Sherman for Congress  
20929 Ventura Blvd-Bx 615  
Washington, DC 20001  
Woodland Hills, CA 91364  
Campaign Contribution 04/10/99 500.00  
Disbursement for: Year-to-Date Total: \$ 500.00

B. Full Name, Address, Zip Purpose of Disbursement Date Disburse Memo

Ashcroft for US Senate  
507 Capitol Cr E, NE #100  
Washington, DC 20002  
Campaign Contribution 04/10/99 1000.00  
Disbursement for: Year-to-Date Total: \$ 1000.00

D. Full Name, Address, Zip Purpose of Disbursement Date Disburse Memo

Elton Gallegly for Congress  
4451 Brookside Corp Dr #200  
Washington, DC 20001  
Chantilly, VA 20151  
Campaign Contribution 04/27/99 500.00  
Disbursement for: Year-to-Date Total: \$ 500.00

E. Full Name, Address, Zip Purpose of Disbursement Date Disburse Memo

Benjamin Gilman for Congress  
P.O. Box 3001  
Washington, DC 20001  
Middletown, NY 10940  
Campaign Contribution 04/28/99 500.00  
Disbursement for: Year-to-Date Total: \$ 500.00

F. Full Name, Address, Zip Purpose of Disbursement Date Disburse Memo

Lazio for Congress  
P O Bx 5063  
Bay Shore, NY 11706  
Campaign Contribtn 05/08/99 500.00  
Disbursement for: Year-to-Date Total: \$ 500.00

AK

SUBTOTAL of Disbursements This Page 3000.00

TOTAL This Period 8000.00

## SCHEDULE B

## ITEMIZED DISBURSEMENTS

Use separate schedule(s)  
for each category of the  
Detailed Summary PagePAGE 1 OF 2  
FOR LINE NUMBER  
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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)

Toby Roth for Congress 1996 Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Sila 2000 7713 Elba Road Alexandria, VA 22306	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	1/11/00	\$1,000.00 <b>AK</b>
B. Full Name, Mailing Address and ZIP Code Lazio 2000 Suite 350 1212 New York Avenue Washington, DC 20005	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	1/19/00	\$1,000.00
C. Full Name, Mailing Address and ZIP Code Roberto Prats Palermo 2000 Municipio de Jan Juan 150 Calle Luna Viejo San Juan, PR 00901	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	2/3/00	\$1,000.00
D. Full Name, Mailing Address and ZIP Code Willie 2000 Apartado 907 Caguas, PR 00726	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	2/3/00	\$1,000.00
E. Full Name, Mailing Address and ZIP Code Gramms for Senate 507 Capitol Crt NE Washington, DC 20002	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	2/17/00	\$500.00
F. Full Name, Mailing Address and ZIP Code Bob Ney for Congress P.O. Box 490 St. Clairsville, OH 43950	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	2/22/00	\$500.00
G. Full Name, Mailing Address and ZIP Code Walter Jones for Congress P.O. Box 99667 Raleigh, NC 27624	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	2/22/00	\$500.00
H. Full Name, Mailing Address and ZIP Code Russell Schmidt for Mayor 127 Sawyer Street Shawano, WI 54166	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	2/24/00	\$250.00
I. Full Name, Mailing Address and ZIP Code Friends of Jim Saxton P.O. Box 795 Mt. Holly, NJ 08060	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	3/4/00	\$500.00

SUBTOTAL of Disbursements This Page (optional) .....

\$6,250.00

TOTAL This Period (last page this line number only) .....

