



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20063

RQ-2

Anthony Roda, Treasurer  
American Success Political Action Committee  
1155 21<sup>st</sup> Street, NW, Suite 300  
Washington, DC 20036

FEB 05 2003

Identification Number: C00336644

Reference: Amended 30 Day Post-General Report (10/17/02-11/25/02), received 12/4/02

Dear Mr. Roda:

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:

-Schedule B of your report (pertinent portion(s) attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) prohibits a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

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

If any contribution you made exceeds the limits, you must request a refund of the excessive amount 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 of the excessive amount.

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)

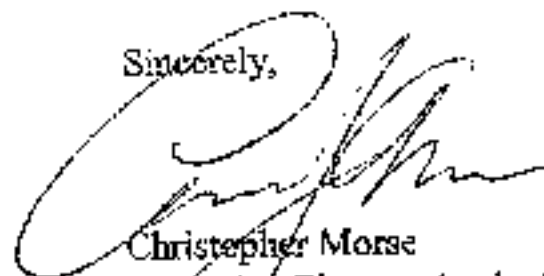
Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

-The total listed on Lines 11(a)(iii) and 11(c), Column B of the Detailed Summary Page appears to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B total. Please amend your report and any subsequent reports that may be affected by this correction.

-Your committee discloses several apparent in-kind contributions to a federal candidate. An in-kind contribution is defined as a contribution of goods, services or property offered free or at less than the usual and normal charge. The term also includes payments made on behalf of, but not directly to, candidates and political committees. 11 CFR §100.7(a)(1)(iii). For future reporting, it is recommended that the committee follow the attached example for the proper method of reporting in-kind contributions.

A response or 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. 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 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,



Christopher Morse  
Campaign Finance Analyst  
Reports Analysis Division

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**

Use separate schedule(s) for each category of the Detailed Summary Page		FOR LINE NUMBER: (check only one)				PAGE 15 / 22	
<input checked="" type="checkbox"/>	21b	<input type="checkbox"/>	22	<input type="checkbox"/>	23	<input type="checkbox"/>	24
<input type="checkbox"/>	28	<input type="checkbox"/>	27	<input type="checkbox"/>	28a	<input type="checkbox"/>	28b
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	25
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	26a
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	29

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)  
American Success Political Action Committee

A. Full Name (Last, First, Middle Initial) David Dreier		Date of Disbursement 10 / 17 / 2002	
Mailing Address 237 Cannon House Office Bldg.		Amount of Each Disbursement this Period 1711.78	
City Washington	State DC	Zip Code 20515	Category/ Type
Purpose of Disbursement Food and beverage		Disbursement For: Primary General Other (specify) ▼	
Candidate Name David Dreier			
Office Sought: House Senate President	State: District:		
Transaction ID: Disb00014736VW&J001			

*Cm*

B. Full Name (Last, First, Middle Initial) David Dreier		Date of Disbursement 11 / 05 / 2002	
Mailing Address 237 Cannon House Office Bldg.		Amount of Each Disbursement this Period 2920.70	
City Washington	State DC	Zip Code 20515	Category/ Type
Purpose of Disbursement office supplies		Disbursement For: Primary General Other (specify) ▼	
Candidate Name David Dreier			
Office Sought: House Senate President	State: District:		
Transaction ID: Disb00015447VW&J001			

*Cm*

C. Full Name (Last, First, Middle Initial) First Union National Bank		Date of Disbursement 11 / 12 / 2002	
Mailing Address 20th and L Sts, NW		Amount of Each Disbursement this Period 48.17	
City Washington	State DC	Zip Code 20038	Category/ Type
Purpose of Disbursement bank service fees		Disbursement For: Primary General Other (specify) ▼	
Candidate Name First Union National Bank			
Office Sought: House Senate President	State: District:		
Transaction ID: Disb00015661VW&J001			

SUBTOTAL of Disbursements This Page (optional)	4630.65
TOTAL This Period (last page this line number only)	

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**

Use separate schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER: (check only one)						PAGE 10 / 11
<input checked="" type="checkbox"/> 21b	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26	<input type="checkbox"/> 28	
<input type="checkbox"/> 26	<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29		

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NAME OF COMMITTEE (In Full)  
American Success Political Action Committee

Full Name (Last, First, Middle Initial) A. David Dreier		Date of Disbursement M M / D D / Y Y Y Y 07 / 18 / 2002
Mailing Address 237 Cannon House Office Bldg. City Washington State DC Zip Code 20515		Amount of Each Disbursement this Period 1061.24
Purpose of Disbursement lodging/meals		
Candidate Name David Dreier		Transaction ID: Disb00012590W&J001
Office Sought: House Senate President	Disbursement For: Primary General Other (specify) ▼	
State: District:		

Full Name (Last, First, Middle Initial) B. Janice McKinney		Date of Disbursement M M / D D / Y Y Y Y 07 / 26 / 2002
Mailing Address 2943 Waterford Court City Vienna State VA Zip Code 22181		Amount of Each Disbursement this Period 2000.00
Purpose of Disbursement fundraising fees		
Candidate Name Janice McKinney		Transaction ID: Disb00012622W&J001
Office Sought: House Senate President	Disbursement For: Primary General Other (specify) ▼	
State: District:		

Full Name (Last, First, Middle Initial) C. The Janet Bain Company		Date of Disbursement M M / D D / Y Y Y Y 07 / 09 / 2002
Mailing Address 4550 Stratfield Lane Suite 2409 City Alexandria State VA Zip Code 22311		Amount of Each Disbursement this Period 3000.00
Purpose of Disbursement fundraising fees		
Candidate Name The Janet Bain Company		Transaction ID: Disb00012055W&J001
Office Sought: House Senate President	Disbursement For: Primary General Other (specify) ▼	
State: District:		

SUBTOTAL of Disbursements This Page (optional)	6061.24
TOTAL This Period (last page this line number only)	

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**

Use separate schedule(s) for each category of the Deleted Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 7 / 10

<input checked="" type="checkbox"/> 21b	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 26
<input type="checkbox"/> 25	<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c
<input type="checkbox"/> 29				

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)  
American Success Political Action Committee

Full Name (Last, First, Middle Initial) <b>A. David Dreier</b>		Date of Disbursement 04 Nov 09 2002
Mailing Address 237 Cannon House Office Bldg.		Amount of Each Disbursement this Period 1002.70
City Washington	State DC	
Purpose of Disbursement food and beverage expenses		Category/ Type
Candidate Name David Dreier		
Office Sought: House Senate President	Disbursement For: Primary General Other (specify) ▼	
State: District:	Transaction ID: Disb00010423W&J001	

*Cm*

Full Name (Last, First, Middle Initial) <b>B. David Dreier</b>		Date of Disbursement 04 Nov 09 2002
Mailing Address 237 Cannon House Office Bldg.		Amount of Each Disbursement this Period 1803.34
City Washington	State DC	
Purpose of Disbursement food and beverage expenses		Category/ Type
Candidate Name David Dreier		
Office Sought: House Senate President	Disbursement For: Primary General Other (specify) ▼	
State: District:	Transaction ID: Disb00010902W&J001	

*Cm*

Full Name (Last, First, Middle Initial) <b>C. David Dreier</b>		Date of Disbursement 04 Nov 24 2002
Mailing Address 237 Cannon House Office Bldg.		Amount of Each Disbursement this Period 4597.76
City Washington	State DC	
Purpose of Disbursement PAC Lodging/Donor gifts		Category/ Type
Candidate Name David Dreier		
Office Sought: House Senate President	Disbursement For: Primary General Other (specify) ▼	
State: District:	Transaction ID: Disb00010777W&J001	

*Cm*

SUBTOTAL of Disbursements This Page (optional) ..... 7403.80  
TOTAL This Period (last page use line number only) .....

## 4. Itemized Disbursements: Schedule B

### When to Itemize Disbursements

#### Regardless of Amount

Several types of disbursements must be itemized regardless of amount:

- Transfers to affiliated SSFs;
- Contributions to candidates and political committees;
- Loan repayments; and
- Loans made by the SSF.

Note that refunds of contributions (Line 28 on the Detailed Summary Page) must be itemized on Schedule B only if the incoming contribution had to be itemized on Schedule A, as explained earlier in this chapter.

#### Other Disbursements: \$200 Threshold

A disbursement that does not fall under one of the categories listed above (such as a donation to a nonfederal candidate) must be itemized if it exceeds \$200 when aggregated with other disbursements made to the same payee during the calendar year.

### How to Itemize Disbursements

#### Categorizing Disbursements

Before beginning to itemize the committee's disbursements, separate them into the different categories listed on the Detailed Summary Page ("Operating Expenditures," "Contributions to Federal Candidates," etc.; an illustration of a completed Detailed Summary Page appears on pages 54-55). The disbursements in each category must be itemized on a separate Schedule B designated for that category.

Indicate the type of disbursement itemized on a particular Schedule B by checking the appropriate box for the corresponding line number from the Detailed Summary Page in the upper right corner of the schedule.

Some categories may require several pages. The total for each category should be entered on the bottom line of the last page for that category.

## IN-KIND CONTRIBUTIONS TO CANDIDATES

Disclosure of In-Kind Contribution Made

SCHEDULE B (FEC Form 3X) ITEMIZED DISBURSEMENTS		Use separate schedule for each category of the Detailed Summary Page	FOR LINE NUMBER (check only one)	YEAR or 1
			<input type="checkbox"/> 12 <input type="checkbox"/> 13 <input type="checkbox"/> 14 <input type="checkbox"/> 15 <input type="checkbox"/> 16 <input type="checkbox"/> 17 <input type="checkbox"/> 18 <input type="checkbox"/> 19 <input type="checkbox"/> 20 <input type="checkbox"/> 21 <input type="checkbox"/> 22 <input type="checkbox"/> 23 <input type="checkbox"/> 24 <input type="checkbox"/> 25 <input type="checkbox"/> 26 <input type="checkbox"/> 27 <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30	2001
Any information copied from such Reports and Statements may not be used by any person for the purpose of soliciting contributions for or against any candidate, other than using the name and address of any political committee to solicit contributions from such committee.				
NAME OF COMMITTEE TO PAY Critical Election Inc PAC 1414 North 2nd St, Suite 1000				
A. Grand Plaza Hotel		Date of Disbursement 08/18/01		
Name of Payee Grand Plaza Hotel		Amount of Cash Disbursement for Period \$78.40		
Address 18 S. Sycamore Street City Alexandria State VA Zip Code 22300		Amount of Cash Disbursement for Period \$78.40 (In-kind) <sup>1</sup>		
Purpose of Disbursement Reception Schedule Date 08/18/01 Event Type Other				
Office Sought <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President State VA District 00		Disbursement For <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)		

Additional Reporting of Payment to Vendor --  
If Made After Goods/Services Provided.

SCHEDULE B (FEC Form 3X) ITEMIZED DISBURSEMENTS		Use separate schedule for each category of the Detailed Summary Page	FOR LINE NUMBER (check only one)	YEAR or 1
			<input type="checkbox"/> 12 <input type="checkbox"/> 13 <input type="checkbox"/> 14 <input type="checkbox"/> 15 <input type="checkbox"/> 16 <input type="checkbox"/> 17 <input type="checkbox"/> 18 <input type="checkbox"/> 19 <input type="checkbox"/> 20 <input type="checkbox"/> 21 <input type="checkbox"/> 22 <input type="checkbox"/> 23 <input type="checkbox"/> 24 <input type="checkbox"/> 25 <input type="checkbox"/> 26 <input type="checkbox"/> 27 <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30	2001
Any information copied from such Reports and Statements may not be used by any person for the purpose of soliciting contributions for or against any candidate, other than using the name and address of any political committee to solicit contributions from such committee.				
NAME OF COMMITTEE TO PAY Critical Election Inc PAC 1414 North 2nd St, Suite 1000				
A. Grand Plaza Hotel		Date of Disbursement 08/18/01		
Name of Payee Grand Plaza Hotel		Amount of Cash Disbursement for Period \$78.40		
Address 18 S. Sycamore Street City Alexandria State VA Zip Code 22300		Amount of Cash Disbursement for Period \$78.40 MEMO <sup>2</sup>		
Purpose of Disbursement Reception Schedule Date 08/18/01 Event Type Other				
Office Sought <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President State VA District 00		Disbursement For <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)		

<sup>1</sup>When using Schedule B, "MEMO" is entered automatically by checking the memo disbursement box.

<sup>2</sup>Using Schedule B, more information here using "memo text" field. See page 45.

#### Itemized Information

Itemized disbursement information includes:

- Name of payee;
- Address of payee;
- Purpose of disbursement (a brief but specific description of why the disbursement was made—see Schedule B instructions and 104.3(b)(3)(i)(B));
- Category Code (see Instructions for Schedules B and E);
- Date of payment; and
- Amount.  
104.3(b)(3); 104.9.

#### Additional Information on Candidates

Further information is required when itemizing a contribution to a candidate committee on Schedule B. Include the candidate's name and the office sought (including the state and, if applicable, Congressional district). When itemizing a contribution or loan to a candidate committee, specify the election for which the payment was made by checking the appropriate category in the election designation box. 104.3(b)(3)(v). See adjacent illustrations.

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