



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

January 14, 2005

Michael Kasper, Treasurer  
Democratic Party of Illinois  
P.O. Box 518  
Springfield, IL 62705

**Response Due Date:**  
**February 14, 2005**

Identification Number: C00167015

Reference: 12 Day Pre General Report (10/01/04-10/13/04)

Dear Mr. Kasper:

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. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(c) prohibit a state, district or local party committee (combined) from receiving any contribution from a person or non-multicandidate political committee in excess of \$10,000 per calendar year.

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

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

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Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Schedule A supporting Line(s) 11(c) of your report discloses a receipt(s) from a candidate committee(s) (see attached) 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.

-Schedule B supporting Line 30(b) of your report discloses a payment(s) for "Printing" & "Postage" 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

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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 amend your report to properly disclose this activity or provide clarifying information.

-On Schedule H2, you have disclosed allocation percentage ratios for "Fall Event-09-14-04 (09/14/2004)" which do not equal 100% when added together. Please amend your report to correct this discrepancy. 11 CFR §§104.10 and 104.17

-On Schedule H2, you disclose the ratio for "Fall Event-09-14-04 (09/14/2004)" to be the same as reported previously; however, this ratio is different from the one disclosed your 2004 October Monthly Report for this activity/event. Please clarify the nature of this discrepancy. 11 CFR §104.10(a)(1)

-On Schedule H2 of your report you disclose the ratio for "Fall Event-09-14-04 (09/14/2004)" to be .64% Federal and 99.36% Non-Federal. However, your Schedule H4 calculations reflect the ratio to be 64% Federal and 36% Non-Federal. Please amend your report to clarify this discrepancy.

Please note that if your non-federal account has overpaid your federal account because of this miscalculation, it will be necessary to immediately transfer these funds back to the non-federal account. While the Commission may take further legal action concerning any impermissible overpayments by the non-federal account, your prompt action will be taken into consideration.

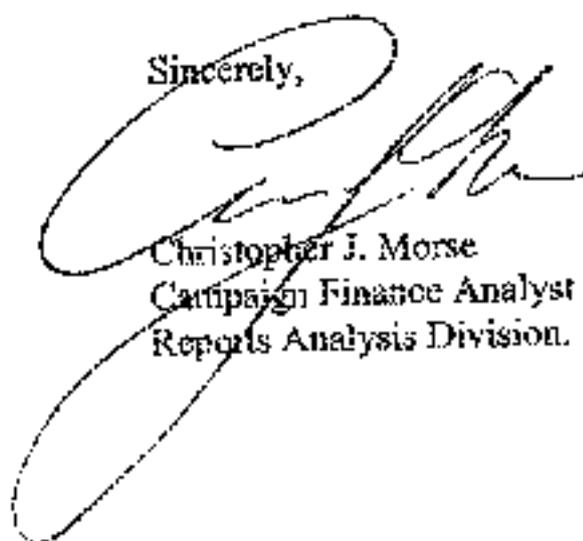
**Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter.** Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. 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.

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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) 694-1133.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Morse", written over a large, loopy scribble.

Christopher J. Morse  
Campaign Finance Analyst  
Reports Analysis Division.

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## Receipt From Candidate With No Purpose

Contributor Name	Date	Amount	Report
Lipinski for Congress Committee	10/07/2004	\$5,000	12 Day Pre General Report

## Excessive Contribution From Non-Multi-Candidate Committee

Contributor Name	Date	Amount	Report
Lipinski for Congress Committee	08/30/2004	\$5,000	2004 September Monthly Report
Lipinski for Congress Committee	09/01/2004	\$5,000	2004 October Monthly Report
Lipinski for Congress Committee	10/07/2004	\$5,000	2004 12 Day Pre General Report

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## RESPONSE INFORMATION

\* RESPONSE CODES: NR, AR, IR, LAR, LIR, NFA

Mail Date:

LATE:

Yes

No

Date Received:

Response Due By:

