



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

December 12, 2008

Patricia Blevins, Treasurer
Democratic State Committee Delaware
P.O. Box 2065
Wilmington, DE 19899

Response Due Date:
January 13, 2009

Identification Number: C00211763

Reference: August Monthly Report (7/1/08-7/31/08)

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 6 items:

1. The totals listed on Lines 15, 17, 21(a)(i), 21(a)(ii), 21(b), and 32, Column B of the Detailed Summary Page(s) appear 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 totals. Please amend your report and any subsequent reports that may be affected by this correction.
2. Schedule A supporting Line 15 of your report discloses a payment(s) from an organization(s) which is not a political committee(s) registered with the Commission (see attached). It appears the receipt(s) was for goods and/or services provided by your committee. Pursuant to Advisory Opinion 1979-18, the sale/purchase price paid to a political committee could involve the receipt of a contribution from a purchaser if the purchase price exceeds the "usual and normal charge". The term "usual and normal charge" for goods is defined as the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution. Examples of goods and services include equipment; supplies, personnel, advertising services, membership lists, and mailing lists. 11 CFR §100.52(d)(1)

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Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided and explain the steps your committee took in determining the amount charged. If your committee provided the goods and/or services at more than the usual and normal charge, the difference between the two is considered to be an in-kind contribution(s) received by your committee from an unregistered organization(s) and is prohibited subject to the limits set forth at 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b).

3. The totals listed on Lines 1a, 1b, 1c, 3, and 8, Column B of the Schedule L Aggregation Page for the "NonFederal" account appear to be incorrect. Please be advised that you should add the "Column B Year-to-Date" total from your previous report to the current "Column A Total This Period" figure to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.

4. On the Schedule L Aggregation Page for the "NonFederal" account, the beginning cash balance, Line 7, Column A, should equal the ending balance, Line 11, Column A, of your previous report. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.

5. Your calculations for Line 11 on the Schedule L Aggregation Page for the "NonFederal" account appear to be incorrect. Cash-on-hand at the close of the current reporting period (Column A) should always equal the closing calendar year-to-date (Column B) cash-on-hand amount. Please amend your report to disclose the corrected total(s).

6. Schedule B supporting Line 21(b) of your report discloses a payment(s) 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

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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) 694-1139.

Sincerely,



Nicole Della Rocco
Campaign Finance Analyst
Reports Analysis Division

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| Contributor Name | Amount | Date | Purpose |
|----------------------------------|---------|---------|-------------------|
| James M Baker Campaign Committee | \$1,000 | 7/10/08 | Voter File Access |
| Gregory for Wilmington | \$1,000 | 7/10/08 | Voter File Access |
| Clark for Council | \$2,000 | 7/10/08 | Voter File Access |
| Katz, Michael | \$350 | 7/20/08 | Voter File Access |

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