



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 16, 2013

MICHAEL KASPER, TREASURER
DEMOCRATIC PARTY OF ILLINOIS
P.O. BOX 518
SPRINGFIELD, IL 62705

Response Due Date
05/21/2013

IDENTIFICATION NUMBER: C00167015

REFERENCE: YEAR-END REPORT (11/27/2012 - 12/31/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report 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 4 item(s):

1. Schedule A of your report (see attached) discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. § 441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

To the extent that your committee has received prohibited funds, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided

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written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. (11 CFR §103.3(b)(1))

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer out or refund. Should you choose to transfer out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring out or refunding the amounts will be taken into consideration.

2. A review of the reports filed by your committee indicates that your committee received one or more transfers from another Committee (see attached) which has not been disclosed on their report(s) of receipts and disbursements. Please clarify if the contribution(s) was received from the disclosed donor's federal account and amend your report(s) if necessary. (11 CFR §104.3(b))

3. The Detailed Summary Page, on Line 18(a) Column A of your 12 Day Pre-General (10/1/12-10/17/12), Amended 30 Day Post-General (10/18/12-11/26/12), received 1/31/13, and Year-End (11/27/12-12/31/12) Reports discloses \$93,719.96 in transfers from the non-federal account for allocated administrative activity for the reporting period. However, Line 21 (a) (ii) Column A discloses \$54,895.53 as the non-federal share for allocated administrative activity for the reporting period. While the non-federal account is permitted to transfer funds to the federal account for allocated activity, transfers for allocated activity must be made within a 70-day time period: no more than 10 days before or 60 days after the payment to the vendor. (11 CFR §§106.6(e)(2) and 106.7(f)(2)) Please clarify the nature of the transfers-in from the non-federal account.

The Commission recommends that you immediately transfer back to the

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non-federal account, the total excessive amount which was received by your federal account outside the 70-day time period. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

4. Schedule H3 of your report discloses a transfer(s) in from a non federal account(s) for "2012 Fall Event 09-26-12(09/26/2012)" which appears to exceed the permissible amount(s) indicated by your allocation ratio for this activity/event. Please be advised that transfers for allocated activity must not exceed the non federal share of the joint disbursements and that these transfers must be made within a 70 day time period: no more than 10 days before or 60 days after payment to the vendor. (11 CFR §§106.6(e)(2) and 106.7(f)(2)) Please clarify the nature of this transfer(s) in from the non federal account.

The Commission recommends that you immediately transfer the total excessive amount received by your federal account back to your non federal account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

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) 694-1147.

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Sincerely,

A handwritten signature in black ink that reads "Maureen Benitz". The signature is written in a cursive style with a large, looped initial "M".

Maureen Benitz
Sr. Campaign Finance & Reviewing Analyst
Reports Analysis Division

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**Excessive, Prohibited, and Impermissible Contributions
DEMOCRATIC PARTY OF ILLINOIS (C00167015)****Contributions from Unregistered Organizations**

Contributor Name	Date	Amount	Report
Citizens for Antonio Munoz	12/7/12	\$1,000.00	2012 Year-End
Citizens for John Cullerton	11/28/12	\$1,000.00	2012 Year-End
Friends of Don Harmon	12/19/12	\$1,000.00	2012 Year-End
Friends of Terry Link	12/7/12	\$5,000.00	2012 Year-End
Senate Democratic Victory Fund	11/28/12	\$1,000.00	2012 Year-End

Contribution Not Disclosed by Donor Committee

Contributor Name	Date	Amount	Report
MAGELLAN HEALTH SERVICES, INC. EMPLOYEE COMMITTEE FOR GOOD GOVERNMENT	11/28/12	\$1,000.00	2012 Year-End