

## **CAMPAIGN FINANCIAL SERVICES**

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COMPLIANCE . CONSULTING . REPORTING

2008 MAY 13 AM 9: 37

Sylvette,

Per our discussion, I lave enclosed a photocopy of the refund cleck requested.

Copies of supplemental paperwork included belied.

Please feel welcome to contact me,

skould you have additional requests caque

## **ETEXT ATTACHMENT**

May 8, 2008

Sylvette Seay, Campaign Finance Analyst Federal Election Commission 999 E Street, NW Washington, DC 20463

Identification Number: C00436428

Reference: Year-End Report (10/1/07 - 12/31/07)

Dear Analyst:

This letter is intended to address your Request for Additional Information issued on May 2, 2008.

1) The Minnesota - Coleman Victory Committee included a transactional memo in its Year-End 2007 Report alerting you to the refund of the excessive portion of (donor) Rosie Owen's contribution in the 1st Quarter of 2008. That refund, in the amount of \$3,625.00, was remitted in the 1st Quarter and thus appears in the April Quarterly Report filed by the Committee on April 15, 2008. An image of the refund check has been sent via certified mail to your attention.

2) The Minnesota-Coleman Victory Committee has limited administrative expenses and does not incur regular operating expenditures such as rent, utilities, and/or salaries.

All necessary vendors and consultants are paid directly, and all minimal operating expenditures are properly disclosed in each monthly report submitted to the Federal Election Commission.

FEC regulations require joint candidate committees to disclose all disbursements derived from the committee's account, and to disclose any connected organization(s). The Minnesota - Coleman Victory Committee has disclosed this information in its Statement of Organization, all expenses have been adequately disclosed, and it remains in full compliance

The above notification should serve for the duration of the 2008 election cycle.

Should you have additional questions or requests, please do not hesitate to contact me.

Sincerely,

Anthony G. Sutton
Treasurer
Minnesota - Coleman Victory Committee

8039724196

DOLLARS	Three-Thousand Six-Hundred Twenty-Five and 00/100*********
\$ 3625.00	TO'THE ORDER OF Rosita Owens
2/08	DATE 3/17/08
1031	MINNESOTA COLEMAN VICTORY COMMITTEE 07/07 228 S Washington St Ste 115 Alexandria, VA 22314

FOR Refund - (72 GINGULA



May 2, 2008

Anthony G. Sutton, Treasurer Minnesota-Coleman Victory Committee 7315 Wisconsin Avenue, Suite 705 East Bethesda, MD 20814

Response Due Date: June 2, 2008

Identification Number:

C00436428

Reference:

Year End Report (10/1/07-12/31/07)

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 2 items:

1. Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 11 CFR§102.17 (c)(5) precludes a joint fundraising committee from receiving contributions from another committee or person in excess of the total amount that the contributor could contribute to all of the participants under the applicable limits of 11 CFR 110.1 and 110.2, in this case \$14,600.

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 <u>each</u> 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.

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.

2. Your October Quarterly (7/1/07-9/30/07) and Year End (10/1/07-12/31/07) Reports combined disclose 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(s) 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. §8441a and 441b.

Clarification regarding administrative expenses should be disclosed <u>during</u> 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 volunteers have provided these services, please confirm this in writing.

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) 694-1393.

Sylvette Seay

Sincerely,

Campaign Finance Analyst Reports Analysis Division

## MINNESOTA-COLEMAN VICTORY COMMITTEE Page 4

## **Excessive Contribution from an Individual**

Contributor Name	Date	Amount	Report
Rosie Owens	8/15/07	\$7,975	2007 October Quarterly
Rosie Owens	12/3/07	\$10,000	2007 Year End

Federal Election Commission ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS The FEC added this page to the end of this filing to indicate how it was received.			
Hand Delivered	Date of Receipt		
USPS First Class Mail	Postmarked		
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Postmark Illegible			
No Postmark			
Overnight Delivery Service (Specify):	Shipping Date		
Next Busi	iness Day Delivery		
Received from House Records & Registration Office	Date of Receipt		
Received from Senate Public Records Office	Date of Receipt		
Received from Electronic Filing Office	Date of Receipt		
Other (Specify):	of Receipt or Postmarked		
Eu	5/13/08		
PREPARER (3/2005)	DATE PREPARED		
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