



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-3

June 19, 1997

Gilbert T. Adams Jr., Treasurer  
Jefferson County Democratic Party  
1855 Calder Avenue  
Beaumont, TX 77701

Identification Number: C00253880

Reference: 12 Day Pre-Runoff Report (10/17/96-11/20/96)

Dear Mr. Adams:

On May 21, 1997 you were notified that a review of the above-referenced report(s) raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act.

Your June 4, 1997 response is incomplete because you have not provided all the requested information. For this response to be considered adequate, the following information is still required.

-In your response you stated your committee is separate and not an affiliate of the state party or any other committee for purposes of contribution limits. Please note that local party committees within a state are presumed to be affiliated with the state party committee and therefore considered affiliated with each other, thus sharing the contribution limit for one political committee. State and local party committees may operate under their own separate set of contribution limits if the committee's independence can be demonstrated. See 11 CFR 110.3(b)(3)(i) and (ii). Please submit an Advisory Opinion Request to the Commission should your committee wish to demonstrate non-affiliation with your state party committee and other local party committees.

Regarding the apparent excessive contributions which your committee and your presumed affiliated committees have received from several contributors, you must transfer-out the amount in excess of \$5,000 to an account not used to influence federal elections or refund the excessive amount to the donors in accordance with 11 CFR 103.3(b). Please inform the Commission of your corrective action in writing and provide a photocopy of your check for the transfer-out or refund.

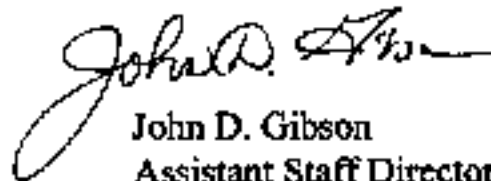
-Schedule H3 of your report discloses transfers received from your non-federal account which occur outside the permissible transfer period. Please be advised that transfers for shared activity must be made within a 70-day time period: no more than 10 days before or 60 days after the payment to the vendor. 11 CFR §§106.5(g)(2) and 106.6(e)(2) Please clarify the nature of these transfers-in from the non-federal account.

The Commission recommends that you immediately transfer the total excessive amount received by your federal account outside the 70-day time period 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.

If this information is not received by the Commission within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Neil Evans on our toll-free number (800) 424-9530 or our local number (202) 219-3580.

Sincerely,



John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

