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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

December 3, 2004

Douglas B. England, Treasurer
Indiana Democratic Congressional Victory
Committee
One North Capitol, Suite 200
Indianapolis, IN 46204

Response Due Date:
January 5, 2005

Identification Number: C00108613

Reference: October Monthly Report (9/1/04-9/30/04)

Dear Mr. England:

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:

-The beginning cash balance of this report should equal the ending balance of your 2004 September Monthly Report. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.

-The totals listed on Lines 7, 21(b), 21(c), 30(b), 30(c), 31, and 32, Column B of the Summary and Detailed 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.

-Schedule A supporting Line 11(a)(i) of your report discloses a receipt(s) from Gordon & Schwenkmeyer Inc. for telemarketing fundraising services. Please be advised that federal regulations require the itemization of all contributions from individuals/persons that aggregate greater than \$200 in the calendar year. Please clarify whether this figure includes any receipts that aggregate greater than \$200 from an individual/person. If this is the case, please amend your report(s) by itemizing the receipts on Schedule A, 11 CFR §104.3(a)(2).

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-Schedule A supporting Line(s) 11(a)(i) 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 A of your August Monthly (7/1/04-7/31/04), September Monthly (8/1/04-8/31/04) and October Monthly (9/1/04-9/30/04) reports disclose receipts totaling \$6,083.34 from the State Party Victory Fund, which is a joint fundraising committee affiliated with your committee. The sum of the entries itemized on the memo Schedule A, however, total only \$2,725.

Please be advised that a memo Schedule A must be provided to itemize your committee's share of the gross contributions received through the joint fundraiser. The memo schedule should itemize each individual who has contributed an aggregate in excess of \$200 during the calendar year, and provide the amount of unitemized contributions received. In addition, the memo schedule should itemize your committee's share of all contributions from political committees, regardless of amount. 11 CFR §102.17(c)(8)(i)(B) Please clarify this discrepancy.

-Schedule A supporting Line 15 of your report discloses one or more receipts totaling \$22,575 from the "State of Indiana, Office of Auditor." Please amend your report to clarify the nature of these receipts.

-Your report discloses a total of \$45,498 in prepayments from Federal candidates on Schedule A. However on Schedule B, it appears that there are only \$27,968.17 in payments for services on behalf of these candidates. Please clarify this apparent discrepancy.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend H4 of your report to clarify the following description(s): "2004 Coord", and "office." For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Schedule F of your report discloses the Aggregate General Election Expenditure(s) for Evan Bayh to be \$234,385.52. However, FEC calculations disclose this amount(s) to be \$380,440.77. Please amend your report to clarify this discrepancy.

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-The limitation on making coordinated party expenditures on behalf of a Senate candidate for the 2004 Indiana general election is \$342,655. Your reports, however, disclose coordinated party expenditures made on behalf of Evan Bayh totaling \$380,440.77, which appear to exceed the limitations under 2 U.S.C. §441a(d) (see attached).

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

If you have made an excessive coordinated party expenditure, you must notify the candidate and request a refund of the amount in excess of the limitation.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request sent to the candidate. In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

Although the Commission may take further legal action concerning the excessive coordinated party expenditures, prompt action in obtaining a refund will be taken into consideration.

-Your report disclosed certain categories of financial activity that have been reflected on the wrong lines of the Detailed Summary Page. Contributions from Political Committees should be properly disclosed on a separate Schedule A, supporting Line 11(c) of the Detailed Summary Page. Transfers to affiliated local party committees should be properly disclosed on a separate Schedule B, supporting Line 22. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

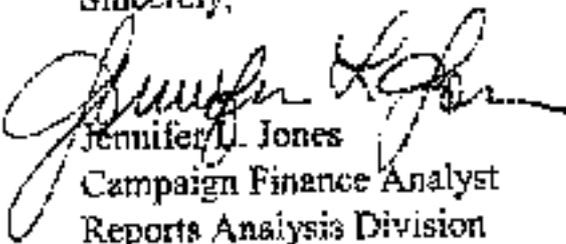
Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond 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) 694-1393.

Sincerely,



Jennifer L. Jones
Campaign Finance Analyst
Reports Analysis Division

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Contributor Name	Date	Amount	Report
John Kerry for President, Inc.	09/01/2004	\$300,000	2004 October Monthly Report

