



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

RQ-2

Mary Maloney, Treasurer  
Iowa Democratic Party  
5661 Fleur Drive  
Des Moines, IA 50321

Identification Number: C00035600

JUN 04 2003

Reference: Amended 12 Day Pre-General Report (10/01/02-10/16/02), Received  
4/25/03

Dear Ms. Maloney:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report (pertinent portion(s) attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

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 each 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)

## IOWA DEMOCRATIC PARTY - PAGE 2

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.

-Schedule A supporting Line 15 of your report discloses a payment(s) from a federal candidate committee(s) for goods and/or services provided by your committee. 11 CFR §100.7(a)(1)(iii)(A) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, membership lists and mailing lists. 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". The usual and normal charge for services is defined as "...the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.7(a)(1)(iii)(B)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided to the federal candidate committee(s) and explain the steps your committee took in determining the amount(s) charged. If your committee provided the goods and/or services at less than the usual and normal charge, the difference between the two is

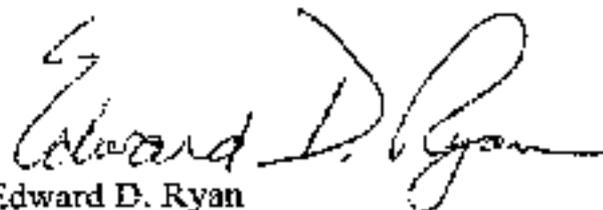
IOWA DEMOCRATIC PARTY - PAGE 3

considered to be an in-kind contribution by your committee to the federal candidate committee(s) and is subject to the limits set forth at 2 U.S.C. §441a. (11 CFR §100.7(a)(1)(iii)(A))

-The totals listed on Lines 21(a)(i) and 21(a)(ii), 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.

A response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. 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 need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Edward D. Ryan  
Campaign Finance Analyst  
Reports Analysis Division

**SCHEDULE A (FEC Form 3X)  
ITEMIZED RECEIPTS**

Use separate schedule(s)  
or each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 22 / 152

<input checked="" type="checkbox"/>	11a	<input type="checkbox"/>	11b	<input type="checkbox"/>	11c	<input type="checkbox"/>	12	<input type="checkbox"/>	17
	13		14		15		16		

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)  
**IOWA DEMOCRATIC PARTY**

**A.** Full Name (Last, First, Middle Initial)  
**K. Justin Shields**

Mailing Address  
**3201 Petable Dr Sw**

City State Zip Code  
**Cedar Rapids IA 52404**

FEC ID number of contributing federal political committee

Name of Employer Occupation  
**Hawkeye Labor Council President**

Receipt For: Aggregate Year-to-Date  
 Primary General Other (specify) **250.00**

Date of Receipt  
M M / D D / Y Y Y Y  
**10 11 2002**

Amount of Each Receipt this Period  
**250.00**

Transaction ID: **SA11A1.11767**

**B.** Full Name (Last, First, Middle Initial)  
**Lots Skinner**

Mailing Address  
**102 10th St SE No. 357**

City State Zip Code  
**Altoona IA 50009**

FEC ID number of contributing federal political committee

Name of Employer Occupation  
**Self Homemaker**

Receipt For: Aggregate Year-to-Date  
 Primary General Other (specify) **6000.00**

Date of Receipt  
M M / D D / Y Y Y Y  
**10 15 2002**

Amount of Each Receipt this Period  
**6000.00**

Transaction ID: **SA11A1.16295**

**C.** Full Name (Last, First, Middle Initial)  
**Lee Scott Smith**

Mailing Address  
**921 Burr Oaks Rd**

City State Zip Code  
**Springville IA 52335**

FEC ID number of contributing federal political committee

Name of Employer Occupation  
**IUPAT Local 447 Business Rep**

Receipt For: Aggregate Year-to-Date  
 Primary General Other (specify) **250.00**

Date of Receipt  
M M / D D / Y Y Y Y  
**10 11 2002**

Amount of Each Receipt this Period  
**250.00**

Transaction ID: **SA11A1.11908**

**SUBTOTAL** of Receipts This Page (optional) **6500.00**

**TOTAL** This Period (last page this line number only)

23.03 - 12.10 - 0302