



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 1, 2004

RQ-2

Rob Fyrst, Treasurer
Democratic Party Of Wisconsin Federal Account
222 W. Washington Avenue
Suite 150
Madison, WI 53703

Response Due Date:
December 31, 2004

Identification Number: C00019331

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

Dear Mr. Fyrst:

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 totals listed on Lines 6(c), 17, 19 and 20, Column B of the Summary and 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.

-Your calculations for Line 8 appear to be incorrect. Cash-on-hand at the close of the current reporting period should always equal the closing calendar year-to-date cash-on-hand amount. Please provide the corrected total on the Summary Page.

-Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

DEMOCRATIC PARTY OF WISCONSIN - FEDERAL ACCOUNT

PAGE 2

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR §104.7(b)(1))

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2))
The request must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you shall either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR §104.7(b)(4))

Please provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

-Schedule A supporting Line(s) 11(b) and 11(c) 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.

DEMOCRATIC PARTY OF WISCONSIN -- FEDERAL ACCOUNT

PAGE 3

-Schedule A of your 2004 August, September and October Monthly Reports combined discloses receipts totaling \$30,000.00 from "ASDC/Dollars For Democrats," which is a joint fundraising committee(s) affiliated with your committee. However, your committee has failed to provide any memo Schedule A's. 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(s). 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. Please amend your report by providing the omitted memo schedule(s). 11 CFR §102.17(c)(8)(i)(B)

-The limitation on making coordinated party expenditures on behalf of a Senate candidate for the 2004 general election is \$308,852.00. Your reports, however, disclose coordinated party expenditures made on behalf of "Russ Feingold" totaling \$715,000.00, 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.

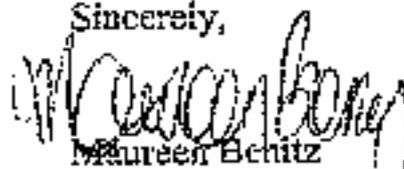
-Schedule A of your report discloses a contribution from a political committee that fails to include a full and/or recognizable name. Reporting only the name of the connected organization, abbreviating the name of the committee so it is unrecognizable, or using an indistinguishable acronym is inadequate. Further, the committee identification number you have provided belonged to a federal committee which is terminated. Please amend your report to include the missing information and clarify the name "IUPAT". 11 CFR §§100.12, 102.14(c) and 104.3(a)(4)(i)

DEMOCRATIC PARTY OF WISCONSIN -- FEDERAL ACCOUNT
PAGE 4

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.

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) 694-1135.

Sincerely,



Maureen Benitz

Senior Campaign Finance Analyst
Reports Analysis Division

DEMOCRATIC PARTY OF WISCONSIN -- FEDERAL ACCOUNT
PAGE 5

Receipts from Candidate Committees (No Purpose)

Contributor Name	Date	Amount	Report
Friends of Schumer	09/29/04	\$25,000.00	October Monthly
Kind For Congress Committee	02/12/04	\$300.00	March Monthly
Kind For Congress Committee	05/04/04	\$200.00	June Monthly
Kind For Congress Committee	06/04/04	\$50.00	July Monthly
Kind For Congress Committee	07/12/04	\$5,000.00	August Monthly
Kind For Congress Committee	09/29/04	\$5,000.00	October Monthly

Excessive Coordinated Expenditure:

Recipient Name	Date	Amount	Election	Report
Russ Feingold	9/27/04	\$616,000.00	G- 2004	October Monthly
Russ Feingold	9/30/04	\$99,000.00	G- 2004	October Monthly

