

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 14, 2001

Duane Neal, Treasurer
Asa Hutchinson for Congress Committee
P.O. Box 2222
Fort Smith, AR 72902

Identification Number:

C00320168

Reference:

October Quarterly (7/1/00-9/30/00) and Year End (11/28/00-12/31/00)

Reports

Dear Mr. Neal:

This letter is to inform you that as of June 13, 2001, the Commission has not received your response to our requests for additional information dated May 22, 2001. These notices request information essential to full public disclosure of your federal election campaign finances. To ensure compliance with the provisions of the Federal Election Campaign Act (the Act), please respond to these requests (copies enclosed).

An adequate response must be received at the Commission by July 4, 2001. 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.

If you should have any questions regarding this matter, please contact Kimberly Willis on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or our local number (202) 694-1130.

Sincerely,

John D. Gibson

Assistant Staff Director Reports Analysis Division



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Duane Neal, Treasurer Asa Hutchinson for Congress Committee P.O. Box 2222 Fort Smith, AR 72902

MAY 22 2001

Identification Number:

C00320168

Reference:

October Quarterly Report (7/1/00-9/30/00)

Dear Mr. Neal:

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 discloses contributions received after the Primary Election which are designated for the primary. These contributions may be accepted to the extent that the committee has not debts outstanding from the primary. (11 CFR §110.1(b)(3)(i))

A contribution is considered to be made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered to have been made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR §110.1(b)(6))

If the contribution(s) accepted exceeds the amount of net debts outstanding from the primary election, you should refund the contribution(s) or seek redesignation of the contribution(s), in writing, from the contributor to the next election. The Commission should be notified if a refund is necessary. Refunds are reported on Line 20 of the Detailed Summary Page and on a

ASA HUTCHINSON FOR CONGRESS COMMITTEE PAGE 2

supporting Schedule B of the report covering the period during which the refund is made. Redesignations are reported as memo entries on a Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2))

Although the Commission may take further legal action, prompt action by you to refund or seek redesignation of the excessive amount(s) will be considered.

-Schedule B of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits established by the Act. The Act precludes an individual or a political committee from making a contribution to any other political committee in excess of \$5,000 per calendar year. (2 U.S.C. §441a(a))

If the contribution(s) in question was not completely or correctly reported, you should amend your original report using the correct information. If the contribution made was excessive, you should notify the recipient and request a refund of the amount in excess of \$5,000. You should inform the Commission in writing of such a refund and provide a copy of the refund request sent to the recipient committee. The refund should appear on Line 15 of the Detailed Summary Page and on a supporting Schedule A of the report covering the period in which the refund is received.

Although the Commission may take further legal action, prompt action by you to obtain a refund of the excessive amount(s) will be considered.

-Schedule B of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits established by the Act. The Act precludes an individual or a political committee from making a contribution to a national party committee in excess of \$20,000 per calendar year. (2 U.S.C. §441a(a)) However, a political committee may make unlimited transfers to a national party committee if the excess amount is determined to be and disclosed as "excess campaign funds". (11 CFR §113.1(e))

If the contribution(s) in question was not completely or correctly reported, you should amend your original report with the correct information. If the contribution made was excessive, you should notify the recipient and

ASA HUTCHINSON FOR CONGRESS COMMITTEE PAGE 3

request a refund of the amount in excess of \$20,000. You should inform the Commission in writing of such a refund and provide a copy of the refund request sent to the recipient committee. The refund should appear on Line 15 of the Detailed Summary Page and on a supporting Schedule A of the report covering the period in which the refund is received.

Although the Commission may take further legal action, prompt action by you to obtain a refund of the excessive amount(s) will be considered.

-Schedule A of your report discloses contributions from political committees but fails to include the complete address. Please amend your report to include the missing information. (11 CFR §104.3(a)(4)(iii))

-Schedule A of your report discloses contributions from political committees but fails to include the 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. (11 CFR §102.14(c) and 104.3(a)(4)(ii) A listing of the full FEC-registered committee names and approved acronyms can be found on the FEC web site or can be obtained by contacting the FEC Public Disclosure Division. Please amend your report to include the missing information.

A written 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. 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,

Kimberly M. Willis

Reports Analyst

Reports Analysis Division

SCHEDULE B

ITEMIZED DISBURSEMENTS

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