



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

March 23, 2011

REX TEMPLETON, TREASURER
GEORGIA FEDERAL ELECTIONS COMMITTEE
1100 SPRING, SUITE 408
ALTANTA, GA 30309

Response Due Date**04/27/2011**

IDENTIFICATION NUMBER: C00041269

REFERENCE: AMENDED 30 DAY POST-GENERAL REPORT (10/14/2010 - 11/22/2010),
RECEIVED 01/31/2011

Dear Treasurer:

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. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following **10** item(s):

1. Please provide a Schedule F to support the entry reported on Line 25 of the Detailed Summary Page. Any coordinated expenditure made by a national, state or designated party committee must be itemized on Schedule F regardless of the amount expended. 11 CFR §104.3(b)(3)(viii) and 2 U.S.C. §434(b)(5) (D)
2. Your amended report discloses additional receipts totaling \$35,539.89 on Line(s) 12 and 17 of the Detailed Summary Page that were not disclosed on your original report. Please provide clarifying information as to why this activity was not disclosed on your original report. 11 CFR §104.3
3. Schedule B supporting Line 30(b) of your report discloses a payment(s) for "Printing/Slate Card" and "Printing & Postage/Slate Card," which is categorized as Federal Election Activity and therefore, may require the disclosure of the candidate(s) this activity should be attributed to. Expenditures and disbursements for public communications that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, please be advised that public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined

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under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate rather than on Schedule B for Line 30(b). Please clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

4. Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) B for Lines 21(b) and 30(b) of your report to clarify the following description(s): "Reimbursement." For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

5. Schedule B of your report discloses reimbursements to individuals for "Reimbursement." Please be advised that when itemizing reimbursements to individuals for goods or services, if the payment to the original vendor aggregates in \$200 or more in a calendar year, a memo entry including the name and address of the original vendor, as well as the date, amount and purpose of the original purchase must be provided. Please amend your report to include the missing information and clearly identify on the Schedule B, which reimbursement each memo entry relates to. If itemization is not necessary, you must indicate so in an amendment to this report. 11 CFR §300.36(b), and Advisory Opinions 1992-1 and 1996-20, footnote 3

6. Schedule B supporting Line 29 discloses \$26,000 in transfers to what appears to be a non-federal account of your committee. Please provide further clarification regarding this transfer to your non-federal account.

You are advised that 11 CFR §102.5 prohibits a non-federal account from financing activity in connection with federal elections. If any of these disbursements were made to influence the election or defeat of specific federal candidates, the disbursements should be allocated accordingly and disclosed as either in-kind contributions on Schedule B supporting Line 23, independent expenditures on Schedule E supporting Line 24, or as coordinated expenditures on Schedule F supporting Line 25. 11 CFR §§104.3(b)(3) and 106.1 In addition, if your non-federal account has paid any expenditures which should have been allocated, you are advised to correct any non-compliance with 11 CFR §§106.6 and 106.7 and establish procedures to ensure future compliance with allocation regulations.

7. Please amend your report by providing the address for each disbursement

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itemized on Schedule(s) H4, supporting Line(s) 21(a).

8. Schedule H4 of your report discloses a \$4,370.96 transfer to your non-federal account for what appears to be the federal account's share of an in-kind corporate contribution(s) to the non-federal account. Pursuant to Advisory Opinion 1992-33, the Commission concluded that a party committee may accept corporate in-kind contributions in connection with fundraising activities as long as the federal share of goods and services is paid or transferred to the non-federal account *in advance or upon receipt* of the acceptance of the corporate in-kind donations. It appears that the federal share of the in-kind donation(s) received by your committee was not transferred to the non-federal account in advance or upon receipt of the acceptance of the corporate in-kind donation(s).

Please clarify to which in-kind transactions the transfer(s) are linked. Additionally, please clarify the procedures that you are currently using regarding the acceptance of corporate in-kind contributions by the federal account and amend your report if necessary.

9. Schedule H4 supporting Line 21(a) of your report discloses payments made to credit card companies. Payments made to credit card companies must identify in memo entries, the original vendors from which you have purchased an item or service for your payments to these vendors regardless of amount. Please amend your report by providing the name and mailing address of the original vendor, along with the date, amount and purpose of each payment as required by 11 CFR §104.9(b) and clearly identify on the Schedule H4 which credit card payment each memo entry relates to.

10. Schedule H4 of your report discloses reimbursements to individuals. Please be advised that when itemizing reimbursements to individuals for goods or services, payment to the original vendors must be itemized as memo entries regardless of amount. Each memo entry must include the name and address of the original vendor, as well as the date, amount and purpose of the original purchase must be provided. Please amend your report to include the missing information and clearly identify on the Schedule H4, which reimbursement each memo entry relates to. 11 CFR §§104.10 and 104.17, and Advisory Opinions 1992-1 and 1996-20, footnote 3

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an

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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. **Requests for extensions of time in which to respond will not be considered.**

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) 694-1139.

Sincerely,



Nicole Della Rocco
Senior Campaign Finance Analyst
Reports Analysis Division