



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

December 24, 2009

Jeffrey M. Zimskind, Treasurer
Toomey for Senate Committee
2720 Jordan Road
Orefield, PA 18069

**Response Due Date:
January 28, 2010**

Identification Number: C00461046

Reference: October Quarterly Report (7/1/09 – 9/30/09)

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. **An adequate response must be received at the Senate Public Records Office by the response date noted above. 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 2 items:

1. The election cycle-to-date totals for certain entries on your report indicate additional contributions that should have been itemized. When contributions from an individual reach \$200 for an election cycle, each subsequent contribution from that individual must be itemized, regardless of the amount. Additionally, each contribution from a political committee must be itemized, regardless of the amount. (2 U.S.C. § 434(b) and 11 CFR § 104.3(a)(4)) Please amend your report to correct the discrepancies in the aggregate totals for the following entry:

<u>Name</u>	<u>Date</u>	<u>Amount</u>	<u>Reported ECTD Total</u>	<u>ECTD Total Calculated by the FEC</u>
Dean Zarras	9/26/09	\$100.00	\$5,500.00	\$550.00

If you need more information, please contact the undersigned analyst.

2. Schedule B of your report discloses disbursement(s) that appear(s) to constitute personal use of campaign funds by the candidate (pertinent portion attached), as defined at 11 CFR § 113.1(g). Personal use is any use

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of funds in a campaign account of a present or former candidate to fulfill a commitment, obligation or expense that would exist irrespective of the candidate's campaign or responsibilities as a federal office holder.

The committee must seek reimbursement for the full amount of the personal use violation(s) from the beneficiary and notify the Commission of such a reimbursement. The reimbursement(s) must be reported on Schedule A supporting Line 15 of the Detailed Summary Page of the report covering the period in which the reimbursement is received.

Please amend your report to clarify what action you will take concerning the apparent personal use of campaign funds. If the disbursement(s) in question was incompletely or incorrectly reported, you must amend your original report with the clarifying information. If the disbursements do constitute the personal use of campaign funds, the Commission may take further legal action. However, prompt action to obtain reimbursement of the funds in question will be taken into consideration.

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 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.**

A written response or an amendment to your original report(s) correcting the above problems should be filed with the Senate Public Records Office. Please contact the Senate Public Records Office at (202) 224-0322 for instructions on how and where to file an amendment. 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) 694-1170.

Sincerely,



Robin Kelly
Senior Campaign Finance Analyst
Reports Analysis Division

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Possible Personal Use
Toomey for Senate Committee (C00461046)
October Quarterly Report (7/1/09 - 9/30/09)

P = Primary Election
G = General Election

Expenditure	DATE	AMOUNT	ELECTION
Carefirst of Maryland, Inc.: 2 months Cobra coverage	7/1/2009	\$3,174.00	P2010

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