



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

RQ-2

David Alpert, Treasurer
New York State Democratic Committee
60 Madison Avenue, Suite 1201
New York, NY 10010

MAR 12 2003

Identification Number: C00143230

Reference: Amended 30 Day Post-General Report (10/17/02-11/25/02), received
2/20/03

Dear Mr. Alpert:

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:

-The limitation on making coordinated expenditures on behalf of a House candidate for the 2002 general election is \$35,910. Your reports, however, disclose coordinated expenditures made on behalf of Engel for Congress totaling \$49,546, which appear to exceed the limitations under 2 U.S.C. §441a(d) (pertinent portions 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 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 expenditures, prompt action in obtaining a refund will be taken into consideration.

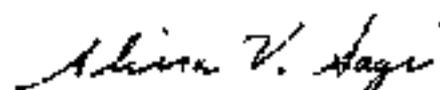
-Schedule H4 discloses a disbursement(s) for "Event 13 (09/26/2002)" which is categorized as fundraising; however, Schedule H2 does not include an allocation ratio for this activity. Please amend Schedule H2 to disclose the omitted ratio.

-Schedule A supporting Line 12 discloses a transfer(s)-in from the Democratic Congressional Campaign Committee – Expenditures. Schedule H4 supporting Line 21(a) reflects payments for Literature Distribution & Visibility and posters. Please be advised that a state or local party committee may pay for campaign materials (such as bumper stickers) that are distributed by volunteers in connection with activity on behalf of the party's nominees in a general election. Payments for this type of activity are exempt from the definition of a contribution or expenditure if certain conditions are met. The conditions are that no public advertising may be used, including distribution by direct mail (mailings by a commercial vendor or from commercial lists); all funds used for the activity must be permitted under the Act, none of the funds used may have been designated for a particular candidate; and finally, payments for the activity may not be made from transfers-in from the national committee to specifically fund the activity. For further guidance, please refer to 11 CFR §100.7(b)(15) and (17) and to the Campaign Guide for Party Committees.

Please clarify the nature of the transfer(s)-in and subsequent payments for the aforementioned disbursement(s). If the activity disclosed on your report does not meet the definition of "exempt" activity as described above and if any portion of the expenditures were made on behalf of specifically identified candidates, that amount must be disclosed on Schedule B or F supporting Line 23 or 25 of the Detailed Summary Page as appropriate.

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,



Alissa V. Sagri
Campaign Finance Analyst
Reports Analysis Division

SCHEDULE F (FEC Form 3X)

**ITEMIZED COORDINATED EXPENDITURES MADE BY
POLITICAL PARTY COMMITTEES OR DESIGNATED AGENT(S)
ON BEHALF OF CANDIDATES FOR FEDERAL OFFICE**

(2 U.S.C. §441a(d)) (To be used only by Political Committees in the General Election)

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FOR LINE 25 OF FORM 3X

NAME OF COMMITTEE (in Full) NEW YORK STATE DEMOCRATIC COMMITTEE	
Has your committee been designated to make coordinated expenditures by a political party committee? YES X NO	Full Name of Subordinate Committee
IF YES, name the designating committee:	Mailing Address
	City State ZIP Code

Full Name (Last, First, Middle Initial) of Each Payee	Purpose of Expenditure	ORG Category Type
Main Street Communications	Media Production	
Mailing Address 2131 S Street, NW	Date	
City State ZIP Code Washington DC 20008	N M J O P Y Y Y 10 28 2002	
Name of Federal Candidate Supported: ENGEL FOR CONGRESS	Office Sought: <input checked="" type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> Presidential	State: NY District: 17
Aggregate General Election Expenditure for this Candidate ▶	Amount	49546.00
Transaction ID: SE2517715		

SUBTOTAL of Expenditures This Page (optional) ▶	49546.00
TOTAL This Period (last page has line number only) ▶	49546.00

