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PAMELA S. MCANOVY

April 1, 2002

Antoinette Kitchen
Senior Report Analyst
Federal Election Commission
Washington, DC 20463

RE: Toby Roth for Congress '96 Committee

Dear Ms. Kitchen:

I am responding to your November 7, 2001 letter to the Toby Roth for Congress '96 Committee, ID No. C00140350 relating to the year-end report for the year 2000. I spoke with you about this report by telephone on or about March 27, 2002. At that time you suggested I look for the report on your web site. This Committee is a multi candidate committee and I was unable to locate its individual reports on the web site. However, my records do not indicate that there was ever an amended year-end report for the year 2000.

You indicate in your letter that there is a discrepancy in line 6C, Column B of the report. I believe that you are incorrect. The amended report for the 30-day post election report from the election of November 7, 2000 indicates a total in Column B, line 6C of \$6,365.58. The original report had a mathematical error and had the number \$5,565.58. This was corrected by the amendment. The year-end report picks up the total and adds \$412.60 to it, making a total of \$6,978.18. Please indicate why you believe that to be incorrect.

Your letter also refers to an inappropriate contribution to Duncan Hunter for Congress of \$1,000.00 which was made December 4, 2000. After the report had been filed, the Committee notified our treasurer by telephone that the check in question had been torn up by the campaign and it was then returned to the campaign uncashed at the beginning of February, 2001. The check was taped together and I am sending you a photocopy of that page of the checkbook showing the front and back of the check which indicates that it was never cashed. A new contribution check was issued to the Hunter Campaign on February 3, 2001 in the amount of \$1,000.00. Neither the receipt of the December check nor the issuing of the \$1,000.00 February check was shown in the mid-year report for 2001. It is my view that the appropriate action to

take at this time is to amend that report. If you concur, we will prepare an amendment and file it promptly.

Very truly yours,

Bruce Chudacoff

BC/tms
Enclosures



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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NOV 07 2001

John Hennessy, Treasurer
Toby Roth for Congress '96 Committee
512 W. College Avenue
Appleton, WI 54911

Identification Number: C00140350

Reference: Amended Year End Report (11/27/00-12/31/00), received 1/16/01

Dear Mr. Hennessy:

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 total listed on Line 6(c), Column B of the Summary Page appears 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 total. Please amend your report and any subsequent reports that may be affected by this correction.

Schedule B supporting Line 23 of your report discloses a contribution(s) to a candidate(s) for the general election. However, the funds were disbursed prior to the election date (portion(s) attached). Please note that contributions may not be designated for a election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

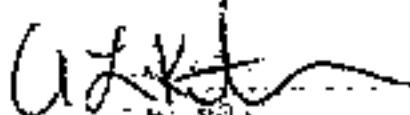
If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If you have made an impermissible contribution to an election which has already occurred, you should notify the recipient and request a refund and/or notify the recipient in writing of your redesignation of the contribution. In the best interest of your committee, all refunds and redesignations should be made within sixty days of the treasurer's receipt of the contribution(s).

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

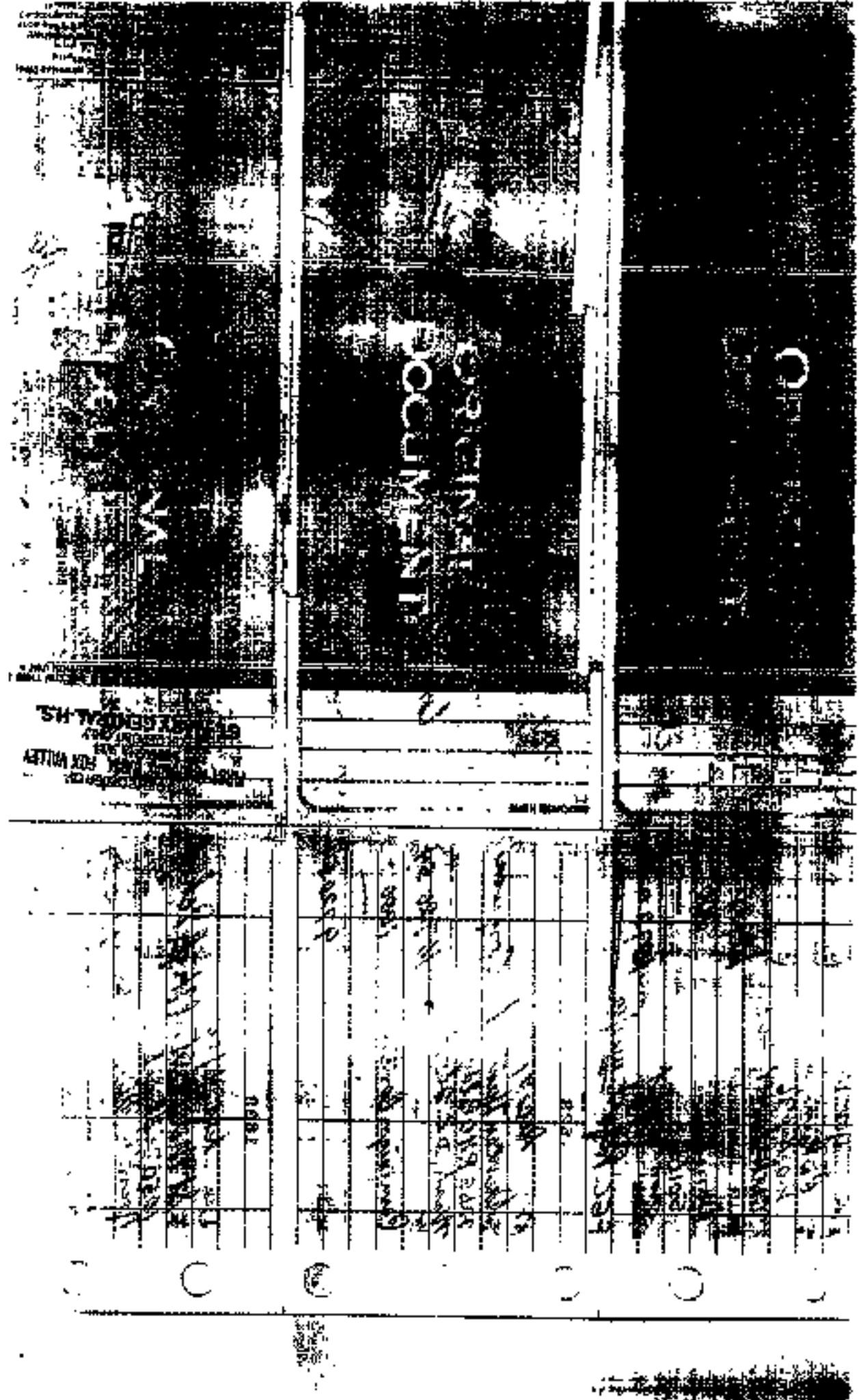
Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

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,



Antoinette Kitchen
Senior Reports Analyst
Reports Analysis Division



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TOMY ROTH FOR CONGRESS

A black and white photograph of a toad sitting on a leafy branch. The toad has a mottled brown and tan skin pattern. The background is dark and out of focus.

Digitized by srujanika@gmail.com

Federal Election Commission

**ENVELOPE REPLACEMENT PAGE
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JM:lp

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