



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 6, 2005

Richard M. Gabrys, Treasurer
Michigan Republican Party
2121 East Grand River Ave.
Lansing, MI 48912

**Response Due Date:
May 6, 2005**

Identification Number: C00041160

Reference: October Monthly Report (9/1/04-9/30/04)

Dear Mr. Gabrys:

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 Commission by the response date noted above.** An itemization of the information needed follows:

-The Detailed Summary Page, on Line 18(a) Column A of your 2004 August, September and October Monthly Reports combined, discloses \$127,943.64 in transfers from the non-federal account for allocated activity for the reporting period. However, Line 21 (a)(ii) Column A of these reports combined discloses \$75,097.03 as the non-federal share for allocated activity for the reporting period. While the non-federal account is permitted to transfer funds to the federal account for allocated activity, transfers for allocated activity must be made within a 70-day time period: no more than 10 days before or 60 days after the payment to the vendor. 11 CFR §§106.6(e)(2) and 106.7(f)(2) Please clarify the nature of the transfers-in from the non-federal account.

The Commission recommends that you immediately transfer back to the non-federal account, the total excessive amount which was received by your federal account outside the 70-day time period. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

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-Schedule B supporting Line 30(b) of your report discloses a payment(s) for "FEA: FUNDRAISING POSTAGE," "FEA: GENERAL POSTAGE," "FEA: POSTAGE-FUNDRAISING," "FEA: POSTAGE/PRINTING FUNDRAISING," "POSTAGE FOR FUNDRAISING," "FEA: POSTAGE FOR GENERIC," "FEA: PRINTING OF FUNDRAISING MAIL," "FEA: TELEMARKETING FUNDRAISING," "FEA: TELEPHONE," and "FEA: TELEPHONE/CABLE" 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 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 amend your report to properly disclose this activity or provide clarifying information.

-Please clarify all expenditures made for "FEA: LIST PURCHASE-FUNDRAISING," "FEA: PROD. LAYOUT FUNDRAISING," "FEA: ROOM RENTAL," and "FEA: TRAVEL, FOOD, ROOM RENTAL" on Schedule(s) B. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedules B, E or F supporting Lines 23, 24 or 25 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule B of your report to clarify the following description(s): "FEA: LIT - BUSH - EXEMPT" and "FEA: SERVICES FOR STATE CONVENTION." For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

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Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. 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.

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) 694-1686.

Sincerely,



Elizabeth Boody
Campaign Finance Analyst
Reports Analysis Division

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