



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

April 15, 2011

PAUL KILGORE, TREASURER  
MIKE CRAPO FOR US SENATE  
P.O. BOX 1948  
BOISE, ID 83701

**Response Due Date**  
**05/20/2011**

IDENTIFICATION NUMBER: C00330886

REFERENCE: JULY QUARTERLY REPORT (05/06/2010 - 06/30/2010)

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 3 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). You should examine all of your contributions to check for additional excessive contributions. The Committee's procedures for processing contributions should also be reviewed.

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution to a candidate for federal office in excess of \$2,400 per election. An authorized committee may not make a contribution to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. § 441a(a) and (f); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within sixty (60) days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for

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each option are provided below:

For reattributions, excessive contributions from individuals can be retained, if within sixty (60) days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor, or (2) the committee reattributes, by presumption, the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within sixty (60) days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election, or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing

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and provide photocopies of any refund checks and/ or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund, redesignate, and/or reattribute of the excessive amount will be taken into consideration.

**2.** Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information. (11 CFR § 104.5(f))

**3.** Your committee filed 48-hour notices reporting the following "last minute" contributions (see attached). However, these contributions do not appear on Schedule A of this report more than once. Please amend your report to include these contributions or provide an explanation of these apparent discrepancies (11 CFR § 104.3(a)(4)(i))

**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**

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**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) 694-1168.

Sincerely,

A handwritten signature in black ink that reads "Michelle Lee Grant". The signature is written in a cursive, flowing style.

Michelle Grant  
Senior Campaign Finance Analyst  
Reports Analysis Division

**Excessive and/or Prohibited Contributions**  
**Mike Crapo for US Senate (C00330886)**  
**July Quarterly Report (5/6/10 - 6/30/10)**

**P = Primary Election**  
**G = General Election**

<b>Contributor Name</b>		<b>Date</b>	<b>Amount</b>	<b>Election</b>
BOOTH	RICHARD	6/7/2010	\$4,800.00	G, 2010
CLAYTON	KEVIN	6/1/2010	\$4,800.00	G, 2010
OBENDORF	RAY MR	5/14/2008	\$500.00	G, 2008
OBENDORF	RAY MR	10/26/2009	\$600.00	G, 2010
OBENDORF	RAY MR	5/28/2010	\$1,500.00	G, 2010
ROSE	WILLIAM	6/7/2010	\$3,000.00	G, 2010
SELLIN	THOMAS C	6/7/2010	\$4,800.00	G, 2010

**Missing 48-Hour Notices****Mike Crapo for US Senate (C00330886)****July Quarterly Report (5/6/10 - 6/30/10)****2010 Primary Election****48-hour notice period (5/6/10 - 5/22/10)**

<b>Contributor Name</b>		<b>Date</b>	<b>Amount</b>	<b>Election</b>
Haydinger	Richard J Mr.	5/6/2010	\$1,000.00	P, 2010
Polmateer	Lloyd	5/10/2010	\$2,400.00	P, 2010

**Incorrectly Reported Receipts on 48-Hour Notices**  
**Mike Crapo for US Senate (C00330886)**  
**July Quarterly Report (5/6/10 - 6/30/10)**  
**2010 Primary Election**  
**48-hour notice period (5/6/10 - 5/22/10)**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>
Action Committee for Rural Electrification	5/10/2010	\$2,000.00
Aegon USA, Inc. PAC	5/10/2010	\$1,000.00
American Forest & Paper Association PAC	5/10/2010	\$2,000.00
American Sheep Industry Association PAC	5/11/2010	\$1,000.00
American Society of Association Exec. PAC	5/10/2010	\$1,000.00
AMERIPRISE Financial PAC	5/10/2010	\$1,000.00
Association of American Railroads PAC	5/10/2010	\$1,000.00
Best Buy Employee Political Forum	5/10/2010	\$1,000.00
BIPAC/BNYMC	5/10/2010	\$1,000.00
BIPAC/BNYMC	5/10/2010	\$2,500.00
BLOCKPAC H. R. Block	5/10/2010	\$1,000.00
Boren, Michael K	5/10/2010	\$2,333.00
BUILD PAC - National Association Home Builders	5/10/2010	\$5,000.00
CH2M HILL Company, LTD. PAC	5/10/2010	\$1,000.00
COCA-COLA Company Nonpartisan Committee	5/10/2010	\$1,000.00
Cooper, Wilfred	5/10/2010	\$1,000.00
CSX Good Government Fund	5/10/2010	\$5,000.00
Denali Leadership PAC	5/11/2010	\$5,000.00
Genworth Financial Inc. PAC	5/10/2010	\$1,000.00
ING US PAC	5/10/2010	\$1,000.00
INSURPAC	5/10/2010	\$2,500.00
Lincoln National Coporation PAC	5/18/2010	\$1,000.00
Metlife Inc. PAC	5/10/2010	\$2,000.00
MORPAC	5/10/2010	\$2,500.00
National Apartment Association PAC	5/10/2010	\$1,000.00
National Association of Federal CU PAC	5/10/2010	\$1,000.00
Nat'l Assoc. of Ind. Life Brokerage Agencies PAC	5/10/2010	\$1,000.00
Pacific Life Insurance Company PAC	5/10/2010	\$1,500.00
The Hartford Advocates Fund PAC	5/10/2010	\$1,000.00
TIAA-CREF PAC	5/10/2010	\$1,000.00
Weyerhaeuser PAC	5/10/2010	\$3,000.00