



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Lloyd E. Lindsey, Treasurer
Republican Party of Arkansas
1201 West 6th Street
Little Rock, AR 72201

JUN 13 2001

Identification Number: C00084954

Reference: 30 Day Post-General Report (10/19/00-11/27/00)

Dear Mr. Lindsey:

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:

-Your report discloses activity that falls outside the reporting period. Please amend this report by including only the financial transactions that occurred between 10/19/00 and 11/27/00. Any activity occurring outside this reporting period should be included in the appropriate report(s). 2 U.S.C. §434(b)

-Please provide the Column B totals for the Detailed Summary Page. Note that changes in your figures may affect your Column B totals on this report and/or on subsequent reports.

-On Schedule A supporting Line 11(a)(i) of the Detailed Summary Page, your report disclosed contributions from individuals that omit the dates of receipt and aggregate year-to-date totals. Please amend your report by supplying the information. 11 CFR §104.3(a)(4)(i)

-Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR §104.7(b)(1))

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2))
The request must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you shall either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR §104.7(b)(4))

Please provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

-Your report discloses limited payments for administrative expenses. Administrative expenses are payments made for the purpose of operating a political committee including, but not limited to, rent, utilities, salaries, telephone service, office equipment and supplies. Each committee utilizing separate federal and non-federal accounts is required to allocate any administrative expenses between the accounts in proportion to the

BALLOT COMPOSITION METHOD derived from FEC Schedule H1. A Schedule H1 must be filed with the first FEC FORM 3X filed at the beginning of each two-year election cycle. 11 CFR §106.5(d)

Any goods or services provided to your committee by a person, except volunteer activity (i.e., a person's time), would be considered an in-kind contribution from that person, and would be subject to the disclosure requirements of 2 U.S.C. §434(b)(3) and 11 CFR §104.13, and the limitations and prohibitions of 2 U.S.C. §§441a and 441b.

Clarification regarding administrative expenses should be disclosed during each two year election cycle beginning with the first report filed in the non-election year. Please provide the necessary information regarding administrative expenses incurred by your committee and/or amend your report to disclose such expenses according to the referenced provisions of the Act and Commission Regulations.

-Your letter states that in calculating the ballot composition ratio on Schedule H1, you "gave 2 points to statewide offices due to a state wide supreme court race." Please be advised that 11 CFR §106.5(d)(1)(ii) states that a committee shall count the total of all other partisan statewide *executive* candidates, if expected on the ballot in the next general election, as a maximum of two non-federal offices. Since you have counted 2 points for partisan statewide *judicial* offices, your ballot composition ratio appears to be incorrect. Please amend your report to include a corrected Schedule H1 and note that a change in this ratio may make it necessary to repay your non-federal account(s) for any overpayments it may have made.

While the Commission may take further legal action concerning any impermissible overpayments by the non-federal account, your prompt action will be taken into consideration.

-On Schedule H3 supporting Line 18 of the Detailed Summary Page, you have failed to provide a breakdown of transfers received by the federal account. Please amend your report to include the missing information.

-Please amend your report by providing the address and date for each disbursement itemized on Schedule B supporting Line 21(b).

-On Schedule H4 supporting Line 21(a) of the Detailed Summary Page, you have not included the full name and/or mailing address for the vendor(s) listed. Please amend your report accordingly.

-On Schedule H4 supporting Line 21(a) of the Detailed Summary Page, you have failed to check the appropriate CATEGORY box for the payment(s) made to several vendors. Please amend your report to disclose the appropriate category.

-On Schedule H4 supporting Line 21(a) of the Detailed Summary Page, you have failed to include the total EVENT YEAR-TO-DATE amount for a payment(s) to all payees. Please amend your report to include the missing EVENT YEAR-TO-DATE total(s).

-Please clarify all expenditures made for "Bush media", "Jay Dickey media", "consulting for Jay Dickey", "Bush Rally Sp. Dale", "Bush mail", "radio Bush rally", "Victory rally Bush", "Bush Rally Springdale", "Fireworks Bush Rally", "Charter for Bush Rally", "Bush Rally", "Bush rally flowers", "Bush mail for Rally", "Bush Rally supply reimburse", "Bush rally producing", "interpreter Bush Rally", "Bush rally security", "Balloon Drop Bush rally", "Sign for rally", "lunch for rally worker", "lunch for Rally security", "Bush Rally planning", "Bush Rally pompoms & pennants", "Bush Rally lighting", "Bush Rally postcard", "Bush Rally stamps", "Bags for Bush Rally", "Security Bush Rally", "reimburse supplies for Bush Rally", "11-2-00 Bush reimburse", "radio for Cheney Rally", "Cheney rally newspaper", "Cheney Rally pomm", "Cheney Rally", "Cheney t-shirts", "Bush - election nt.", "signs (Bush)", "signs & shirts Bush", "Bush/Cheney signs", "Bush Victory signs", "AR is Bush Country signs" and "mail for Bob Thomas" on Schedule(s) B and H4. 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(s) H4 of your report to clarify the following description(s): "reimburse", "reimburse for election night" and "expense". For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

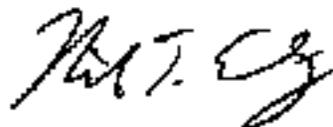
-Schedule H4 of your report discloses disbursements for the "Administrative/Voter Drive" category which use a ratio that is inconsistent with the ratio disclosed on Schedule H1 for the 2000 election cycle. The ballot composition ratio for the allocation of administrative and generic voter drive expenses should be the same for the full two-year election cycle. Please amend your report to clarify this apparent discrepancy.

Please note that if your non-federal account has overpaid your federal account because of this miscalculation, it will be necessary to immediately transfer these funds back to the non-federal account. While the Commission may take further legal action concerning any impermissible overpayments by the non-federal account, your prompt action will be taken into consideration.

-All reports must bear an original signature of the treasurer or designated agent. Filing a photocopy of your report does not fulfill this requirement. Please file a report bearing an appropriate original signature. 2 U.S.C. §434(a)(1) and 11 CFR §104.14

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,



Nicholas T. Ebinger
Reports Analyst
Reports Analysis Division

—
—
—