



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 23, 2009

Kenneth Banks, Treasurer
Democratic State Central Committee of
Maryland
188 Main Street, Suite 1
Annapolis, MD 21401

Response Due Date:
February 23, 2009

Identification Number: C00141812

Reference: 30 Day Post-General Report (10/16/08-11/24/08)

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. **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 4 items:

1. The totals listed on Lines 21(a)(i), 21(a)(ii), 21(c), 23, and 32, Column B of the Detailed Summary Page(s) appear 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 totals. Please amend your report and any subsequent reports that may be affected by this correction.

2. Schedule A supporting Line 16 of your report discloses a negative entry for the apparent refund(s) of a contribution originally received by your committee. Please be advised that if your committee wrote a refund check from your account, this disbursement should be disclosed on Schedule B supporting Line 28 of the Detailed Summary Page. Line 16 should only be used if your committee received a refund for a contribution originally made by your committee. Further, negative entries on Schedule A should only be used to disclose voided checks that were not cashed or cleared by a bank. This method of reporting would clarify for the public record the total amount of receipts/disbursements and more accurately disclose the cash-on-hand amount. Please amend your report(s) to properly disclose this activity or provide clarifying information.

29039990534

DEMOCRATIC STATE CENTRAL COMMITTEE OF MARYLAND

Page 2

3. Schedule B supporting Line 30(b) of your report discloses a payment(s) for "Blind ID calls" 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 clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

4. Schedule H4 discloses a disbursement(s) which is categorized as a fundraising expense(s); however, a Schedule H2 has not been filed to disclose the allocation ratio. All committees are required to allocate the direct costs of each fundraising event in which the committee collects both federal and non-federal funds. The costs are allocated according to the funds received ratio and reported on Schedule H2. 11 CFR §§106.6(d) and 106.7(d)(4). Please file a Schedule H2 to disclose the ratio for the fundraising event(s).

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 not be considered.**

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

29039990535

DEMOCRATIC STATE CENTRAL COMMITTEE OF MARYLAND

Page 3

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) 694-1153.

Sincerely,

Kristin DeCarmino

Kristin DeCarmino
Senior Campaign Finance Analyst
Reports Analysis Division

223

29039990536