FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

James M. Jordan, Treasurer
Democratic Senatorial Campaign Committee
430 South Capitol Street, SE
Washington, DC 20003

APR 24 2002

Identification Number: C00042366

Reference: October Monthly Report (9/1/01-9/30/01) and Amended October Monthly Report (9/1/01-9/30/01), dated 1/31/02

Dear Mr. Jordan:

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:

-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 memo Schedule A's totaling $15,300 from the Iowa Senate 2002, which appears to be a joint fundraising committee. However, there are no corresponding transfers-in from this committee disclosed on Schedule A for supporting Line 12 of the Detailed Summary Page. Please clarify this apparent discrepancy.

-Schedule A of your report discloses receipts totaling $55,000 from the Georgia Senate 2002, Illinois Senate 2002, and Montana 2002, which are joint fundraising committees affiliated with your committee. The sum of the entries itemized on the memo Schedule A, however, total only $35,600.

Please be advised that a memo Schedule A must be provided to itemize your committee's share of the gross contributions received through the joint fundraiser. The memo schedule should itemize each individual who has contributed an aggregate in excess of $200 during the calendar year, and provide the amount of unitemized contributions received. In addition, the memo schedule should itemize your committee's share of all contributions from political committees, regardless of amount. 11 CFR §102.17(c)(8)(i)(B) Please clarify this discrepancy.

-Schedule A supporting Line 17 of your report discloses a payment from A.B. Data, Inc. (pertinent portion(s) attached). It appears this receipt was for goods and/or services provided by your committee. Pursuant to Advisory Opinion 1979-18, the sale/purchase price paid to a political committee could involve the receipt of a contribution from a purchaser if the purchase price exceeds the "usual and normal charge". The term "usual and normal charge" for goods is defined as the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution. Examples of goods and services include equipment, supplies, personnel, advertising services, membership lists, and mailing lists. 11 CFR 100.7(a)(1)(iii)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided and explain the steps your committee took in determining the amount charged. If your committee provided the goods and/or services at more than the usual and normal charge, the difference between the two is considered to be an in-kind contribution received by your committee from a corporation and is prohibited subject to the limits set forth at 2 U.S.C. §441b(a)

-Schedule H2 of your report indicates that your committee participated in RS'98 activities or events during the reporting period. However, there are no corresponding disbursements reflected on your Schedule H4. Note that you need not include activities on Schedule H2 if there are no corresponding payments made for the activity during the reporting period. If any disbursements were incorrectly reported, you should file an amended Schedule H4 with the correct unique identifying code or title, or provide clarifying information regarding the activities on Schedule H2.

A response or 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. 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 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,

Angel L. Williamson

Angel L. Williamson
Senior Reports Analyst
Reports Analysis Division

21020221551

# SCHEDULE A (FEC Form 3X)
# ITEMIZED RECEIPTS

Use separate schedule(s) for each category of the Detailed Summary Page

FOR LINE NUMBER: PAGE 10 / 173
(check only one)
☐ 11a ☐ 11b ☐ 11c ☐ 12
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☒ 17

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
Democratic Senatorial Campaign Committee

A. Full Name (Last, First, Middle Initial)
AB Data, Inc.
Mailing Address
8050 North Port Washington
City: Milwaukee
State: WI
Zip Code: 53217
FEC ID number of contributing federal political committee:
Name of Employer:
Occupation:
Receipt For: Primary / General / Other (specify)
Aggregate Year-to-Date
Date of Receipt: 09 / 26 / 2001
Amount of Each Receipt this Period: 2256.81
List Rental
Transaction ID: SA17-17007

B. Full Name (Last, First, Middle Initial)
Bank of America
Mailing Address
730 15th Street, NW
City: Washington
State: DC
Zip Code: 20005
FEC ID number of contributing federal political committee:
Name of Employer:
Occupation:
Receipt For: Primary / General / Other (specify)
Aggregate Year-to-Date
Date of Receipt: 09 / 30 / 2001
Amount of Each Receipt this Period: 1115.42
Interest Income
Transaction ID: SA17-17117

C. Full Name (Last, First, Middle Initial)
Bank of America
Mailing Address
730 15th Street, NW
City: Washington
State: DC
Zip Code: 20005
FEC ID number of contributing federal political committee:
Name of Employer:
Occupation:
Receipt For: Primary / General / Other (specify)
Aggregate Year-to-Date
Date of Receipt: 09 / 30 / 2001
Amount of Each Receipt this Period: 2366.67
Interest Income
Transaction ID: SA17-17118

SUBTOTAL of Receipts This Page (optional) ▶ 5738.90

TOTAL This Period (last page this line number only) ▶ 5738.90