



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

April 15, 2015

KIP CARR, TREASURER  
GEORGIA FEDERAL ELECTIONS  
COMMITTEE  
PO BOX 20442  
ALTANTA, GA 30325

**Response Due Date**  
**05/20/2015**

IDENTIFICATION NUMBER: C00041269

REFERENCE: 30 DAY POST-GENERAL REPORT (10/16/2014 - 11/24/2014)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report 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 8 item(s):

1. The beginning cash balance of this report does not equal the ending balance of your Amended 12 Day Pre-General Report (10/1/14 - 10/15/14), received 4/7/15. Please correct this discrepancy and amend all subsequent report(s) that may be affected by the correction. (52 U.S.C. §30104(b) (formerly 2 U.S.C. § 434(b)(1)))
2. The totals listed on Line(s) 6(c), 7, 11(a)(ii), 11(a)(iii), 11(d), 18(a), 18(c), 19, 20, 21(a)(i), 21(a)(ii), 21(b), 21(c), 31, and 32, Column B of the Detailed Summary Page(s) appear to be incorrect. Column B figures for the Summary and Detailed Summary Pages should equal the sum of the Column B figures on your previous report and the Column A figures on this report. Please file an amendment to your report to correct the Column B discrepancies for this report and all subsequent report(s) which may be affected by this correction. Note that Column B should reflect only the Calendar Year-to-Date totals. (52 U.S.C. §30104(b) (formerly 2 U.S.C. § 434(b)))
3. Line 11(a)(i) of the Detailed Summary Page of your report discloses a total of \$248,107 in contributions (other than loans) from Individuals/Persons Other than political committees (itemized). The sum of the entries itemized on Schedule A, however, indicates the total to be \$248,118. Please amend your report to clarify the discrepancy. (11 CFR § 104.3(a) and (b))

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4. Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. Please be advised that 52 U.S.C. §30116(f) (formerly 2 U.S.C. §441a(f)) and 11 CFR §110.1(c) prohibit a state, district or local party committee (combined) from receiving any contribution from a person or non-multicandidate political committee in excess of \$10,000 per calendar year.

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. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to

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seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

**5.** A review of the reports filed by your committee indicates that your committee received one or more contributions from "American Federation Of Govt. Empl. Political Action Committee" which has been disclosed on their report(s) of receipts and disbursements as a contribution for the non-federal account (see attached). Please be advised, contributions deposited in a federal account must meet the following conditions: the contributions are designated or expressly solicited for use in connection with federal elections and contributors are informed that their contributions are subject to the limits and prohibitions of the Act. 11 CFR §102.5(a)

If any apparently misdeposited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If the contribution(s) received was misdeposited into the federal account, you may have to make a refund. If within 30 days of receipt you (1) transferred the misdeposited amount to an account not used to influence federal elections, and (2) provided a written notice to the committee making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the misdeposited amount must be refunded. (11 CFR §103.3(b)(1))

Please clarify if the contribution(s) received from the disclosed donor's federal account was permissible. If the contribution was intended for a non-federal account, please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer-out or refund. Although the Commission may take further legal action regarding the misdeposited funds, your prompt action will be taken into consideration.

**6.** Schedule A supporting Line 12 discloses a transfer(s)-in from "Democratic National Committee," "Democratic Senatorial Campaign Committee," and "DEMOCRATIC CONGRESSIONAL CAMPAIGN COMMITTEE." Schedule B supporting Line 30(b) reflects payments for "Steel Posts/Volunteer Exempt Activity - Nunn for Senate," "Postage/Volunteer Exempt Mail - Nunn

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for Senate," "Printing/Volunteer Exempt Mail - Nunn for Senate," "Printing & Postage/Volunteer Exempt Mail - Barrows for Congress," "Printing/Paid Canvass Doorhangar," "Printing & Postage/Exempt Volunteer Mail - Nunn for Senate," and "Printing & postage/Exempt Volunteer Mail - Barrows for Congress." Please be advised that a state or local party committee may pay for campaign materials (such as pins, posters, bumper stickers and yard signs) that are distributed by volunteers in connection with activity on behalf of the party's nominees in a general election and for voter drive activity conducted on behalf of the party's Presidential and Vice Presidential nominees. Payments for this type of activity are exempt from the definition of a contribution or expenditure if certain conditions are met. The conditions are that no public advertising may be used, including distribution by direct mail (mailings by a commercial vendor or from commercial lists); all funds used for the activity must be permitted under the Act; none of the funds used may have been designated for a particular candidate; and finally, payments for the activity may not be made from transfers-in from the national committee to specifically fund the activity. For further guidance, please refer to 11 CFR §§100.87 and 100.147 and to the Campaign Guide for Party Committees.

If the activity disclosed on your report does not meet the definition of "exempt" activity as described above and if any portion of the expenditures were made on behalf of specifically identified candidates, that amount must be disclosed on Schedule B, E or F supporting Line 23, 24 or 25 of the Detailed Summary Page as appropriate. Please amend your report or provide clarifying information.

7. Schedule F supporting Line 25 of your report discloses a coordinated expenditure(s) on behalf of "Sanford Bishop," "David Scott," "John Lewis," "HENRY C 'HANK' JOHNSON," and "MARY MICHELLE NUNN" and which appears to have been made after the general election date. Please be advised that if a service is provided or a communication is aired in one reporting period and the payment is made in a later reporting period, the coordinated expenditure should be reported as a memo entry on Schedule F when the service is provided or the communication is publicly disseminated or distributed, and on a Schedule D if it is a reportable debt under 11 CFR §104.11. When the payment for the coordinated expenditure is made, the report should show a payment on Schedule F and the same payment on Schedule D, if applicable.

Please amend your report to provide further clarifying information regarding the coordinated expenditures disclosed after the general election date.

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8. Schedule A supporting Line 12 discloses a transfer(s)-in from "Democratic Senatorial Campaign Committee," "DEMOCRATIC CONGRESSIONAL CAMPAIGN COMMITTEE," and "Democratic National Committee." Schedule H6 supporting Line 30(a) reflects payments for Federal Election Activity. Please be advised that under 11 CFR §300.34, a State, district or local party committee must not use any Federal funds transferred to it from a national party committee or any other State, district or local party committee, as the Federal component of an expenditure or disbursement for Federal Election Activity. Furthermore, your committee must itself raise the Federal component of expenditure or disbursement allocated between Federal and Levin funds.

Please clarify whether the transfer(s)-in was used for the subsequent payments for Federal Election Activity. In addition, please clarify the procedures you are currently using to ensure that Federal funds transferred to your committee from national, State, district and local party committees are not being used for Federal Election Activity.

**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 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) 694-1169.

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Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Fortkiewicz". The signature is written in a cursive style with a large initial "K".

Kevin Fortkiewicz  
Senior Campaign Finance Analyst  
Reports Analysis Division

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**Excessive, Prohibited, and Impermissible Contributions  
Georgia Federal Elections Committee (C00041269)**

**Excessive Contributions from Individuals**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Report</b>
Rand Hagen	9/26/14	\$9,800.00	2014 October Monthly
Rand Hagen	10/22/14	\$10,000.00	2014 30 Day Post-General
Mack Wilbourn	10/7/14	\$9,850.00	2014 12 Day Pre-General
Mack Wilbourn	10/10/14	\$5,000.00	2014 30 Day Post-General

**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**

Use separate schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER: (check only one)	PAGE 314 OF 315
	<input type="checkbox"/> 21b <input type="checkbox"/> 22 <input type="checkbox"/> 23 <input type="checkbox"/> 24 <input type="checkbox"/> 25 <input type="checkbox"/> 26 <input type="checkbox"/> 27 <input type="checkbox"/> 28a <input type="checkbox"/> 28b <input type="checkbox"/> 28c <input checked="" type="checkbox"/> 29 <input type="checkbox"/> 30b	

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)  
**American Federation of Govt. Empl. Political Action Committee**

Full Name (Last, First, Middle Initial) <b>A. Democratic Party of Georgia</b>		Date of Disbursement MM / DD / YYYY 10 / 21 / 2014
Mailing Address PO Box 20442		<b>Transaction ID : 22084543</b>
City Atlanta	State GA	
Zip Code 30325	Purpose of Disbursement State Contribution	Amount of Each Disbursement this Period 5000.00
Candidate Name	Category/Type 011	State Contribution
Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼	
State: District:		

Full Name (Last, First, Middle Initial) <b>B. Louisiana Democratic Party</b>		Date of Disbursement KF MM / DD / YYYY 10 / 24 / 2014
Mailing Address PO Box 4385		<b>Transaction ID : 22089366</b>
City Baton Rouge	State LA	
Zip Code 70821	Purpose of Disbursement State Contribution	Amount of Each Disbursement this Period 5000.00
Candidate Name	Category/Type 011	State Contribution
Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼	
State: District:		

Full Name (Last, First, Middle Initial) <b>C. Florida Democratic Party</b>		Date of Disbursement MM / DD / YYYY 10 / 30 / 2014
Mailing Address 214 South Bronough Street		<b>Transaction ID : 22093360</b>
City Tallahassee	State FL	
Zip Code 32301	Purpose of Disbursement State Contribution	Amount of Each Disbursement this Period 4000.00
Candidate Name	Category/Type 011	State Contribution
Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	Disbursement For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼	
State: District:		

<b>SUBTOTAL</b> of Disbursements This Page (optional).....▶	14000.00
<b>TOTAL</b> This Period (last page this line number only).....▶	