



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

November 16, 2010

KENNET BARNES, TREASURER
REPUBLICAN PARTY OF SACRAMENTO COUNTY
(FED. ACCT.)
PO BOX 255367
SACRAMENTO, CA 95865-5367

Response Due Date
12/21/2010

IDENTIFICATION NUMBER: C00254490

REFERENCE: OCTOBER MONTHLY REPORT (09/01/2010 - 09/30/2010)

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. **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 item(s):

1. Schedule L-A of your report discloses a receipt(s) from "California Republican Party." Please be advised that Levin funds expended or disbursed by any State, district or local committee must be raised solely by the committee that expends or disburses them. Consequently, funds from national party committees, other State, district and local committees and Federal candidates or officeholders, may not be accepted as Levin funds. 11 CFR § 300.31 and 300.34 This includes any entity directly or indirectly established, financed, maintained or controlled by any national, State, district or local committee of a political party. 2 U.S.C. §441i(b)(2)(B)(iv)

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

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. Transfers-out and refunds should be disclosed on Schedule L-B supporting Line 5 on Schedule L of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of impermissible Levin funds, prompt action by your committee to transfer-out or refund the funds will be taken into consideration.

2. On Schedule H5 supporting Line 18(b) of the Detailed Summary Page, Lines i), ii), iii) and iv) for the transfer-in from the "Republican Party of Sacramento

REPUBLICAN PARTY OF SACRAMENTO COUNTY (FED. ACCT.)

Page 2 of 3

County" account do not add up to the \$41,012.67 transfer received on 9/15/10. Please amend your report to correct this discrepancy. 11 CFR §300.36(b)(2)(ii)

3. Schedule H4 supporting Line 21(a) of your report discloses a payment(s) for "Payroll Taxes." Please be advised that pursuant to 11 CFR §300.33(c)(2), salaries and wages for employees who spend more than 25% of their compensated time in a given month on Federal Election Activity (FEA) or activities in connection with a Federal election must not be allocated between or among federal and non-federal accounts. Rather, only federal funds may be used. Further, the Commission concluded in Advisory Opinion 2003-11 that amounts spent for employee-specific "fringe benefits," consisting of health insurance, disability insurance, life insurance, retirement benefits and payroll taxes, fall into the category of compensated time.

Please clarify whether this activity is for employees who spent 25% or less of their time during the month(s) referenced above on FEA or activities in connection with a Federal election. If this is not the case, any reimbursement from your committee's non-federal account for this payment is not permissible and must be returned. Although the Commission may take further legal action regarding any improper allocation activity, your prompt action will be taken into consideration.

4. Schedule H3 of your report discloses a transfer(s)-in from a non-federal account(s) for the "Administrative" and "Voter Drive" categories which appears to exceed the permissible amount(s) indicated by your allocation ratio for this activity/event. Please be advised that transfers for allocated activity must not exceed the non-federal share of the joint disbursements and that these transfers must be made within a 70-day time period: no more than 10 days before or 60 days after payment to the vendor. 11 CFR §§106.6(e)(2) and 106.7(f)(2) Please clarify the nature of this transfer(s)-in from the non-federal account.

The Commission recommends that you immediately transfer the total excessive amount received by your federal account back to your non-federal account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

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

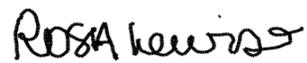
REPUBLICAN PARTY OF SACRAMENTO COUNTY (FED. ACCT.)

Page 3 of 3

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) 694-1152.

Sincerely,

A handwritten signature in black ink that reads "ROSA Lewis". The signature is written in a cursive style with a stylized "R" and "L".

Rosa Lewis
Senior Campaign Finance Analyst
Reports Analysis Division