



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

December 5, 2008

Wayne Tucker, Treasurer
Republican Party of Texas
900 Congress Ave, Suite 300
Austin, TX 78701

Response Due Date:
January 6, 2009

Identification Number: C00143743

Reference: 12-Day Pre-General Report (10/1/08-10/15/08)

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 6 items:

1. The totals listed on Lines 23, 29, 30(a)(i), 30(a)(ii), 30(c) 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 of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 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

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

3. Schedule A of your report discloses an aggregate year-to-date total(s) for a contribution(s) received from "Charles Flournoy" which appears to be incorrect. Please amend your report to provide the correct aggregate year-to-date total(s).

4. Schedule B supporting Line 29 of your report discloses \$130,372.55 in activity identified as MEMO entries that do not appear to correspond with any itemized transaction. Please be advised, a memo entry is used to disclose additional information about an itemized transaction and the amount of a memo entry is not included in the total receipts or disbursements for the report.

Additionally, this activity appears to be for in-kind contributions made on behalf of apparent non-federal candidates. When disclosing in-kind

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contributions, you should identify the candidate who has received goods and services from your committee and also provide information about the original vendor for these goods and services. If the original payments for the goods and services have already been itemized as operating expenditures and included in the total for Line 21 of the Detailed Summary Page then the amount of such activity should be subtracted from Line 21(b) and added to Line 29 of the Detailed Summary Page. Please amend your report to clarify this discrepancy.

5. On Schedule H6, your allocated activity or event year-to-date total calculations for the GOTV category(s) are incorrect. Allocated activity or event year-to-date totals for this activity should be calculated by adding the latest disbursement for a category to the previous event year-to-date total for that category. This running event year-to-date total should be disclosed after each disbursement is listed. Please amend your report by providing the correct event year-to-date totals.

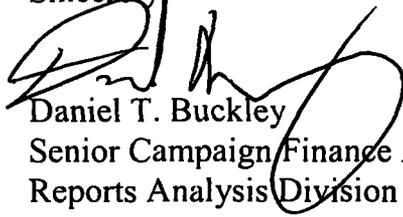
6. Schedule H6 supporting Line 30(a) of your report discloses a payment(s) for "LIST ACQUISITION" which is categorized as GOTV activity; however, it appears that this activity should be categorized as Voter ID activity. Please be advised that 11 CFR §100.24(a)(4) defines Voter ID activity as acquiring information about potential voters, including, but not limited to, obtaining voter lists and creating or enhancing voter lists by verifying or adding information about the voters' likelihood of voting in an upcoming election or their likelihood of voting for specific candidates. Please amend your report to clarify the appropriate category for this activity or provide clarifying information regarding this apparent discrepancy.

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) 694-1141.

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Sincerely

A handwritten signature in black ink, appearing to read 'Daniel T. Buckley', written over the typed name.

Daniel T. Buckley
Senior Campaign Finance Analyst
Reports Analysis Division

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REPUBLICAN PARTY OF TEXAS

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| Contributor Name | Date | Amount | Report |
|------------------|------------|-------------|--------------------------------|
| John Woodhouse | 01/22/2008 | \$300.00 | 2008 February Monthly Report |
| John Woodhouse | 03/13/2008 | \$250.00 | 2008 April Monthly Report |
| John Woodhouse | 10/01/2008 | \$10,000.00 | 2008 12-Day Pre-General Report |
| Charles Flournoy | 03/04/2008 | \$1,000.00 | 2008 April Monthly Report |
| Charles Flournoy | 10/01/2008 | \$5,000.00 | 2008 12-Day Pre-General Report |
| Charles Flournoy | 10/01/2008 | \$5,000.00 | 2008 12-Day Pre-General Report |
| Timothy Fleet | 02/05/2008 | \$5,000.00 | 2008 March Monthly Report |
| Timothy Fleet | 10/08/2008 | \$10,000.00 | 2008 12-Day Pre-General Reprot |

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