



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

MAR - 3 1998

Dennis M. Charles, Treasurer
Indiana Democratic Congressional Victory Committee
One N Capitol Avenue Suite 200
Indianapolis, IN 46204

Identification Number: C00108613

Reference: Amended July Quarterly (4/16/98-6/30/98), dated 11/23/98

Dear Mr. Charles:

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:

-A cover letter attached to your Amended July Quarterly Report (4/1/98-6/30/98), dated 11/18/98 (pertinent portions attached) indicates that "Additionally, in changing our descriptions we discovered that certain disbursements had been inadvertently classified as administrative costs rather than fundraising expenses. The two itemized disbursements in question were "JJ98", our annual Jefferson Jackson Day Fundraiser and "98 Open", a golf outing fundraiser. We use the same allocation ratio for both fundraising and administrative expenses, and, if necessary, we make adjustments based on the receipt ratio by transferring funds from the federal to non-federal account".

Please note the following reporting requirements for committees allocating fundraising expenses between their federal and nonfederal accounts.

1. A committee which allocates the costs of fundraising events between its federal and non-federal accounts is required to allocate the costs directly associated with a fundraising program or event according to the "funds received" method. The fundraising ratio shall be estimated prior to each fundraising event based on the committee's reasonable prediction of its federal and nonfederal revenue from that event. The estimated percentage

of federal funds received to nonfederal funds received for a fundraising event must be disclosed on a Schedule H2 with a unique identifier code and included with each report disclosing a disbursement for that event or program.

2. Any transfer received from your nonfederal account for the nonfederal account's share of fundraising expenses must be disclosed on a Schedule H3 identifying the date of receipt, amount, fundraising event and unique identifier code.
3. All disbursements for fundraising expenses which have been allocated between the federal and nonfederal accounts must be categorized as fundraising disbursements on Schedule H4. The date of disbursement, purpose of disbursement, unique identifier code, event year-to-date total and both the federal and nonfederal shares of the disbursement must also be provided.
4. The committee has up to 60 days after the ending date of the event to adjust the estimated allocation ratio based on the actual funds received.
 - a. The committee must report the adjusted ratio for the fundraising event on Schedule H2 and date of the fundraising event.
 - b. If the adjusted ratio increases the federal portion of the fundraising ratio the federal account must make a transfer to the nonfederal account for any nonfederal over-payment of fundraising expenses on Schedule H4.

Please amend your report to disclose the allocation ratio and unique identifier code for all fundraising events or programs on Schedule H2. Also, please disclose any nonfederal transfers for fundraising events on Schedule H3 including identification of the fundraising event, unique identifier code and date of receipt. Please categorize as "fundraising" any disbursements associated with fundraising events on Schedule H4 and include the purpose of disbursement, unique identifier code, date of disbursement and the federal and nonfederal share of each disbursement. Please see the attached instructions illustrating the proper reporting method for allocating federal and nonfederal expenditures for fundraising events.

A written response or an 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. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 694-1130.

Sincerely,



Andrew J. Dodson
Senior Reports Analyst
Reports Analysis Division

**INDIANA DEMOCRATIC CONGRESSIONAL VICTORY
COMMITTEE**

TO: WHOM IT MAY CONCERN
FROM: DENNIS CHARLES
SUBJECT: DISBURSEMENT DESCRIPTIONS
DATE: 11/18/98

Your recent letter calls into question certain disbursement descriptions reported on schedule H4 of our July 1998 quarterly report. 'CLE' refers to our Continuing Legal Education meetings, 'Primary' refers to our primary night activities, and 'Gold' refers to our Gold Circle Club meetings. Additionally, in changing our descriptions we discovered that certain disbursements had been inadvertently classified as administrative costs rather than fundraising expenses.

The two itemized disbursements in question were 'JJ98', our annual Jefferson Jackson Day Fundraiser, and '98 Open', a golf outing fundraiser. We use the same allocation ratio for both fundraising and administrative expenses, and, if necessary, we make adjustments based on the receipt ratio by transferring funds from the federal to non-federal account. For the sake of clarity, here is a financial breakdown from the two events:

Jefferson Jackson Day Fundraiser

Total Receipts--\$119,460.00
 Federal--\$58,135.00 (49%)
 Non-Federal--\$61,325.00 (51%)
 Total Expenses--\$52,606.00
 Original Allocation (Federal)--\$13,201.50
 Original Allocation (Non-Federal)--\$39,604.50
 Adjusted Allocation (Federal)--\$25,874.94
 Adjusted Allocation (Non-Federal)--\$26,931.06
 Difference in Federal Allocation--\$12,673.44

IDE Open '98

Total Receipts--\$31,800.00

Federal Receipts--\$9,000.00 (28%)

Non-Federal Receipts--\$22,800 (72%)

Total Expenses--\$11,047.00

Original Allocation (Federal)--\$2,761.75

Original Allocation (Non-Federal)--\$8,285.25

Adjusted Allocation (Federal)--\$3,093.16

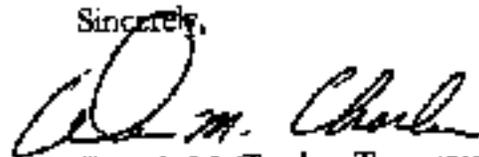
Adjusted Allocation (Non-Federal)--\$7,953.84

Difference in Federal Allocation--\$331.41

The difference in federal allocation for the two fundraisers during this period was a total of \$13,004.85. On May 28, 1998, we transferred \$35,000.00 from our federal account to our non-federal account in part to adjust for this apparent under-allocation. This transfer can be found on Line 22 of this report.

If you have any questions, please feel free to call me at (317) 231-7100.

Sincerely,



Dennis M. Charles, Treasurer

6. Allocating Committee Fundraising Expenses

Example

The Loyalist State Party Committee raises money for its federal and nonfederal accounts at a banquet called "King's Ransom" (the unique identifier). People buying tickets must designate their checks as either federal contributions (subject to the limits and prohibitions of the Act) or nonfederal contributions (subject to applicable state law). People wishing to contribute to both accounts must write separate checks to each account. The Loyalist State Party Committee spends \$7,000 on "King's Ransom."

Required Forms

- Schedule H2—Allocation Ratios
- Schedule H3—Transfers from Nonfederal Account
- Schedule H4—Payments for Allowable Expenses

Estimated Fundraising Ratio (H2)

A committee raising money for both its federal and nonfederal accounts through the same fundraising activity allocates the costs directly associated with the program or event according to the "funds received" method (ratio of federal funds received to total funds received). In the first reporting period in which money is spent on "King's Ransom," the Loyalist State Party Committee estimates the ratio on Schedule H2, as shown in the illustration.

The committee must continue to file Schedule H2 with each report disclosing a disbursement for "King's Ransom."

ESTIMATED FUNDRAISING RATIO (H2)

SCHEDULE H2 (Form 11/97)		ALLOCATION RATIOS	
		PAGE 1 OF 1	
NAME OF COMMITTEE Loyalist State Party Committee			
ALLOCATION RATIOS FOR INDIVIDUAL FUNDRAISING EVENTS, EXEMPT ACTIVITIES, AND SHARED DIRECT CANDIDATE SUPPORT APPEARING ON THIS REPORT.			
Methods of allocation:			
I. FUNDRAISING activities are allocated using the "funds received method" where the federal proportion of expenses must equal the federal proportion of receipts raised.			
II. EXEMPT activities are allocated using the "time and space method" where the federal proportion of disbursements is based on the proportion of time or space devoted to federal candidates.			
III. Shared DIRECT CANDIDATE support activities are allocated according to benefit expected to be derived, where the federal proportion of disbursements is based on the benefit derived by federal candidates from the activity.			
NAME OF ACTIVITY OR EVENT King's Ransom		FEDERAL % 50%	NON-FEDERAL % 50%
ACTIVITY IS: <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT <input type="checkbox"/> DIRECT CANDIDATE SUPPORT			
CHECK THE METHOD: <input checked="" type="checkbox"/> FUNDS RECEIVED <input type="checkbox"/> TIME AND SPACE <input type="checkbox"/> BENEFIT DERIVED			

Schedule H2 shows the allocation ratios for categories of expenses other than the administrative/generic voter drive category. The unique identifier must be entered ("King's Ransom") as well as the appropriate expense category ("Fundraising"). The "New" box is checked to show that the ratio is disclosed for the first time. The 50/50 ratio is an estimate. It will have to be adjusted within 60 days after the fundraiser to reflect the actual ratio.

Nonfederal Transfer (H3)

Using Schedule H3, the Loyalist State Party Committee reports the transfer received from the nonfederal account to pay the nonfederal portion of "King's Ransom" (\$3,500). The unique identifier is again noted.

(The total amount of transfers itemized on Schedule H3 is entered on Line 18 of the Detailed Summary Page.)

TRANSFER FROM NONFEDERAL ACCOUNT (H3)

RECEIPT SCHEDULE H3 (Effective 1/1/85)		TRANSFERS FROM NON-FEDERAL ACCOUNTS		PAGE 1 OF 1
NAME OF COMMITTEE Loyalist State Party Committee				TOTAL AMOUNT TRANSFERRED
NAME OF ACCOUNT Nonfederal Account		DATE OF RECEIPT 8/21/86	\$3,500.00	
BREAKDOWN OF TRANSFER RECEIVED				
	NON-ACTIVE DIME AMOUNT	DIRECT FUND- RAISING AMOUNT	PERMIT ACTIVITY-CREDIT CONCRETE SUPPORT	
1	1000 Administrative From Dims			
4	Direct Fundraising (List Events-Amount for Each)			
4	King's Ransom	\$3,500.00		
5				
6				

The nonfederal share of "King's Ransom" payments must be transferred within the 70-day window.

Payments (H4)

The committee discloses the federal and nonfederal shares of "King's Ransom" payments on Schedule H4, again using the unique identifier.

(The federal and nonfederal payments totals that appear on Schedule H4 are entered on Lines 21a(i) and (ii) of the Detailed Summary Page.)

ALLOCATED PAYMENTS (H4)

DISBURSEMENT SCHEDULE H4 (Effective 1/1/85)		JOINT FEDERAL/NON-FEDERAL ACTIVITY SCHEDULE		PAGE 1 OF 1
NAME OF COMMITTEE Loyalist State Party Committee				FOR LINE 21a
1 FULL NAME, MAILING ADDRESS, ZIP CODE Name: Ronaie 3338 His Majesty's Way City, State ZIP	4 PURPOSE/INTENT Delivering "King's Ransom"	DATE 8/10/86	TOTAL AMOUNT \$8,000.00	FEDERAL SHARE \$3,000.00
2 EXTENSION ADMINISTRATIVE/OTHER DIME \$8,000.00	3 FUNDRAISING DIRECT FUND-RAISING PERMIT ACTIVITY-CREDIT CONCRETE SUPPORT			NON-FEDERAL SHARE \$5,000.00
1 FULL NAME, MAILING ADDRESS, ZIP CODE A-List Invites 1000 Elite Circle City, State ZIP	4 PURPOSE/INTENT Invites/Work: "King's Ransom"	DATE 8/13/86	TOTAL AMOUNT \$1,000.00	FEDERAL SHARE \$500.00
2 EXTENSION ADMINISTRATIVE/OTHER DIME \$7,000.00	3 FUNDRAISING DIRECT FUND-RAISING PERMIT ACTIVITY-CREDIT CONCRETE SUPPORT			NON-FEDERAL SHARE \$500.00

Payments for "King's Ransom" are allocated according to the estimated ratio: 50 percent federal, 50 percent nonfederal.

ADJUSTED RATIO: FEDERAL PERCENTAGE INCREASED (H2)

SCHEDULE H2 OFFICER 11/93		ALLOCATION RATIOS	
		PAGE	OF
NAME OF COMMITTEE Loyalist State Party Committee			
ALLOCATION RATIOS FOR INDIVIDUAL FUNDRAISING EVENTS, EXEMPT ACTIVITIES, AND SHARED DIRECT CANDIDATE SUPPORT APPEARING ON THIS REPORT.			
Methods of Allocation:			
1. FUNDRAISING activities are allocated using the "funds received method" where the federal proportion of expenses must equal the federal proportion of monies raised.			
NAME OF ACTIVITY OR EVENT	FEDERAL %	NON-FEDERAL %	
King's Ransom (event date 8/31/96)	60%	40%	
ACTIVITY IS <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT <input type="checkbox"/> DIRECT CANDIDATE SUPPORT			
CHECK IF THE METHOD IS <input type="checkbox"/> NEW <input checked="" type="checkbox"/> REVISED <input type="checkbox"/> SAME AS PREVIOUSLY REPORTED			

The "Revised" box is checked because the original ratio (50/50) had to be adjusted. The adjustment increases the federal portion by 10 percent. The federal account must therefore make a transfer to the nonfederal account to reimburse the 10 percent overpaid by the nonfederal account.

FEDERAL TRANSFER (H4)

DISBURSEMENT SCHEDULE H4 OFFICER 11/93		JOINT FEDERAL/NON-FEDERAL ACTIVITY SCHEDULE			
		PAGE	OF		
		NON-FEDERAL SHARE			
NAME OF COMMITTEE Loyalist State Party Committee					
1. FILE NAME, MAILING ADDRESS AND ZIP CODE	2. PROPORTION	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
State Party Committee Nonfederal Account 446 Democracy Blvd Chgo. State ZIP	King's Ransom ratio adjustment	(event date) 8/31/96	\$700.00	\$700.00	0
DATE OF: <input type="checkbox"/> ADMINISTRATIVE VOTE OR VET <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT					
TYPE OF REPORT: <input type="checkbox"/> NEW <input checked="" type="checkbox"/> REVISED <input type="checkbox"/> SAME AS PREVIOUSLY REPORTED					

The adjusted ratio requires the federal account to transfer to the nonfederal account 10 percent (or \$700) of "King's Ransom" payments (which totaled \$7,000). Note that the "Event Year-to-Date" total is left blank when disclosing a federal transfer.

Adjusted Ratio (H2)

Within 60 days after the last day of the program or event, the committee needs to adjust the allocation ratio to reflect the actual ratio of federal receipts to total receipts. The committee reports the adjusted ratio on Schedule H2. Note that the committee must disclose the date of a fundraising program or event when reporting an adjustment to the ratio.

(Further ratio adjustments will be necessary if additional receipts come in.)

Federal Transfer (H4)

If the adjusted ratio increases the federal portion, the federal (or allocation) account must make a transfer to the nonfederal account for the nonfederal overpayment. Again, the transfer must be made within 60 days after the close of the program or event. The date of the program or event must be noted when reporting a transfer based on an adjusted ratio.

