



FEDERAL ELECTION COMMISSION
WASHINGTON, D. C. 20463

RQ-2

January 28, 2004

Irvine Diamond, Treasurer
Republican Campaign Committee of New Mexico
300 San Mateo NE, Suite 101
Albuquerque, NM 87103

Response Due Date:
February 27, 2004

Identification Number: C00020818

Reference: Amended April Quarterly Report (1/1/03-3/31/03), received 7/21/03

Dear Mr. Diamond:

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. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Your report discloses additional receipts and disbursements totaling \$97,459 and \$177,317 on Line(s) 15, 18(a), 18(c), 21(a)(i), 21(a)(ii), 21(b), 21(c), 22 and 23 of the Detailed Summary Page that were not disclosed on your original report. Please provide clarifying information as to why this activity was not disclosed on your original report.

-Schedule A supporting Line 15 of your report discloses \$4,237.55 from the Marriot Hotel for offsets to operating expenditures; however, your report(s) does not appear to disclose a disbursement(s) to this entity. Please provide clarifying information regarding this activity and amend your report(s) if necessary.

-Schedule B supporting Line 21(b) of your report discloses a payment(s) totaling \$24,042.83 for "2003 LD Dinner Postage", "2003 LD Dinner Printing & Reproduct", "Advertising", "Advertising Convention", "Auto Dialing", "Fundraising: Direct Mail", "Fundraising: Direct", "Fundraising: Postage", "Fundraising: Printing & Reproduction", "Postage", "Printing & Reproduction", "Reimb Postage" and "Reimb Printing & Reproduction". Expenditures and disbursements for public communications (as defined

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under 11 CFR §100.26) that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24.

Please provide further clarification regarding this activity, specifically whether it referenced and promoted, supported, attacked or opposed a clearly identified candidate for Federal office. If this is the case, please amend your report to properly disclose this activity as an in-kind contribution, an independent expenditure or a coordinated expenditure, as appropriate, on a Schedule B, E or F supporting Lines 23, 24 or 25, respectively.

-Your report does not disclose any payments for salary or wages on Schedule B supporting Line 30(b) of the Detailed Summary Page. 11 CFR §100.24 defines as Federal Election Activity, services provided by an employee of a State, district or local party committee who spends more than 25 percent of their time during that month on activities in connection with a Federal election. You are advised that payments for salaries and wages for employees who spend more than 25 percent of their compensated time in a given month on Federal Election Activity or activities in connection with a Federal election must be made with Federal funds only. Please provide clarification regarding the lack of payments for salary and wages disclosed by your committee.

-Schedule H4 of your report discloses payments for "Consulting:Political State" and "Consulting:State Political" to individuals. Please clarify whether these individuals are employees of your committee. You are 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 or activities in connection with a Federal election must not be allocated between or among federal, non-federal and Levin accounts. Rather, only federal funds may be used. Any reimbursement from your committee's non-federal or Levin account for salary and wage payments is not permissible and must be returned. Please provide clarification regarding these payments.

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Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. 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.

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 1, then press 2 to reach the Reports Analysis Division) or my local number (202) 694-1639.

Sincerely,



Colleen Manning
Senior Campaign Finance Analyst
Reports Analysis Division

