

# SUMMIT PAC



PO Box 15858 • Washington, DC 20003

May 19, 2004

Mr. Christopher J. Morse  
 Campaign Finance Analyst  
 Report Analysis Division  
 Federal Election Commission  
 Washington, DC 20463

RECEIVED  
 FEDERAL MAIL  
 OPERATIONS CENTER  
 MAY 26 A 9:33

Re: Summit PAC (Identification Number C00382333)

Dear Mr. Morse:

I recently received the enclosed correspondence from the Federal Election Commission regarding contributions made to the Democratic Congressional Campaign Committee in years 2003 and 2004. The correspondence questioned contributions that reportedly surpassed the limitations set forth in Act 2 U.S.C. 441a(a) prohibiting a multicandidate committee and its affiliates from making a contribution to a national political party in excess of \$15,000 in a calendar year.

As Summit PAC's 2003 Year End Report (7/1/03 - 12/31/03) and 2004 First Quarterly Report (1/1/04 - 04/31/04) indicate, Summit PAC made contributions to the DCCC during the years 2003 and 2004 on November 21, December 16, and January 1 in the amounts of \$10,000, \$15,000 and \$25,000, respectively. These contributions were made before Summit PAC submitted to the Commission Notification of Multicandidate Status on January 30, 2004.

It was not realized at the time the disbursements were made to the DCCC, that contribution limits for Multicandidate Committees are effective upon the date in which the Committee becomes eligible for qualification, not upon the date of notification. In this case, Summit PAC was qualified to file for Status in March 2003.

Therefore, in both years 2003 and 2004, Summit PAC regrettably exceeded contribution limits to a national party in excess of \$10,000 each year. Corrective action via refund check from the DCCC in the amount of \$20,000 to Summit PAC has been requested and a photocopy of that correspondence is enclosed. Summit PAC's upcoming Schedule A supporting Line 16 of the Second Quarterly Report (4/1/04 - 6/30/04) will disclose the refund receipts from the DCCC.

Thank you for bringing this mistake to our attention. Your recommended course of action for compliance with the Commission is most appreciated. I am hopeful that the corrective action mentioned above, along with the upcoming Second Quarterly Report, will rectify the excessive contribution called into question by the Commission.

Most sincerely,

*John D. Hardesty, Jr.*

John D. Hardesty  
 President



Contributions to Summit PAC are not tax deductible.  
 Individuals and other Federal PACs may give up to \$5,000 per calendar year to Summit PAC's Federal Account.  
 Paid for by Summit PAC.

RQ-2



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 28, 2004

John Douglas Hardesty Jr., Treasurer  
Summit PAC  
P.O. Box 15858  
Washington, DC 20003

**Response Due Date:**  
**May 28, 2004**

Identification Number: C00382333

Reference: Year End Report (7/01/03-12/31/03)

Dear Mr. Hardesty:

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:

-Schedule B 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(a) prohibits a multicandidate committee and its affiliates from making a contribution to a national political party in excess of \$15,000 in a calendar year.

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

If you have made an excessive contribution, you must notify the recipient and request a refund of the amount in excess of \$15,000. The refund of the excessive amount must be made within sixty (60) days of receipt of the contribution.

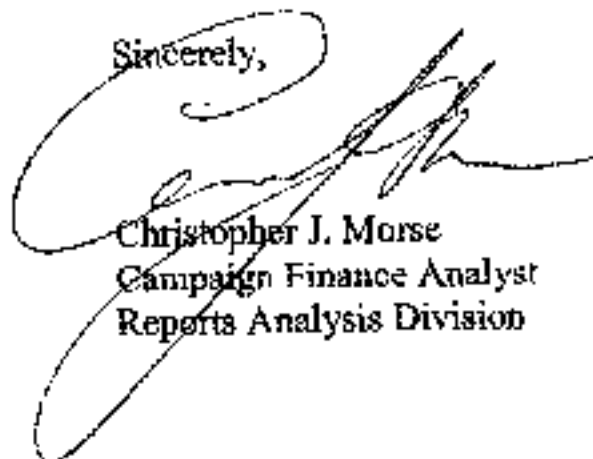
Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

Although the Commission may take further legal action concerning the excessive contribution(s), prompt action in obtaining a refund will be taken into consideration.

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) 694-1133.

Sincerely,



Christopher J. Morse  
Campaign Finance Analyst  
Reports Analysis Division

Recipient Name	Date	Amount	Report
Democratic Congressional Campaign Committee	12/01/03	\$15,000	2003 Year End Report
Democratic Congressional Campaign Committee	12/16/03	\$10,000	2003 Year End Report

# SUMMIT PAC



PO Box 15858 • Washington, DC 20003

May 19, 2004

Democratic Congressional Campaign Committee  
430 South Capitol Street, SE  
Washington, DC 20003

To Whom It May Concern:

I recently received the enclosed correspondence from the Federal Election Commission regarding contributions made to the Democratic Congressional Campaign Committee in 2003 and 2004. The correspondence questioned contributions that reportedly surpassed the limitations set forth in Act 2 U.S.C. 441a(a) prohibiting a multicandidate committee and its affiliates from making a contribution to a national political party in excess of \$15,000 in a calendar year.

As you will recall, Summit PAC made contributions to the DCCC during the years 2003 and 2004 on November 21, December 16, and January 1 in the amounts of \$10,000, \$15,000 and \$25,000, respectively. These contributions were made before Summit PAC filed for Multicandidate Status.

On January 30, 2004 Summit PAC submitted to the Commission a Notification of Multicandidate Status. Unknowingly, contribution limits for Multicandidate Committees are effective upon the date in which the Committee becomes eligible for qualification; not upon the date of notification. In this case, Summit PAC was qualified to file for Status in March 2003.

Therefore, in both FY2003 and FY2004, Summit PAC exceeded contribution limits to a national party in excess of \$10,000 each year. Regrettably, corrective action is required immediately and necessitates a refund check from the DCCC in the amount of \$20,000 to Summit PAC.

It is disappointing that Summit PAC is unable to be as forthcoming with its support for the DCCC as intended. Please be assured that you can count on Summit PAC's continued friendship in the future.

Most sincerely,

John D. Hardesty  
Treasurer



Contributions to Summit PAC are not tax deductible.  
Individuals and other Federal PACs may give up to \$5,000 per calendar year to Summit PAC's Federal Account.  
Paid for by Summit PAC

Federal Election Commission  
**ENVELOPE REPLACEMENT PAGE  
 FOR INCOMING DOCUMENTS**

The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input checked="" type="checkbox"/> USPS First Class Mail	Postmarked 5-22-04
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
	Delivery Confirmation™ Label <input type="checkbox"/>
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
<i>Jmp</i> PREPARER	5-26-04 DATE PREPARED