



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 9, 2009

Patricia Blevins, Treasurer
Democratic State Committee Delaware
P.O. Box 2065
Wilmington, DE 19899

**Response Due Date:
February 9, 2009**

Identification Number: C00211763

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 4 items:

1. Schedule A of your report discloses a receipt from "Acierno, Frank," "Jameson, Anne," "Vague, Richard W.," and "Wilmington Trust" totaling \$21,050 for the apparent misdeposit of contributions originally intended for the non-federal account. Please be advised, contributions deposited in either a federal account or an account used for both federal and non-federal activity must meet the following conditions: the contributions are designated or expressly solicited for use in connection with federal elections and contributors are informed that their contributions are subject to the limits and prohibitions of the Act. 11 CFR §102.5(a)

Although the Commission may take further legal action regarding the misdeposited funds, your prompt action in refunding or transferring out these funds will be taken into consideration.

2. Schedule B supporting Line 29 discloses \$15,000 in transfers to what appears to be a non-federal account of your committee. Please provide further clarification regarding this transfer(s) to your non-federal account.

You are advised that 11 CFR §102.5 prohibits a non-federal account from financing activity in connection with federal elections. If any of these disbursements were made to influence the election or defeat of specific

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federal candidates, the disbursements should be allocated accordingly and disclosed as either in-kind contributions on Schedule B supporting Line 23, independent expenditures on Schedule E supporting Line 24, or as coordinated expenditures on Schedule F supporting Line 25. 11 CFR §§104.3(b)(3) and 106.1 In addition, if your non-federal account has paid any expenditures which should have been allocated, you are advised to correct any non-compliance with 11 CFR §§106.6 and 106.7 and establish procedures to ensure future compliance with allocation regulations.

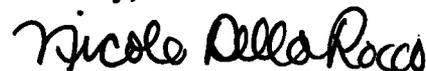
3. On the Schedule L Aggregation Page for the "NonFederal" account, the beginning cash balance, Line 7, Column A, should equal the ending balance, Line 11, Column A, of your previous report. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.

4. Your calculations for Line 11 on the Schedule L Aggregation Page for the "NonFederal" account appear to be incorrect. Cash-on-hand at the close of the current reporting period (Column A) should always equal the closing calendar year-to-date (Column B) cash-on-hand amount. Please amend your report to disclose the corrected total(s).

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) 694-1139.

Sincerely,



Nicole Della Rocco
Campaign Finance Analyst
Reports Analysis Division

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