



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

June 27, 2013

SHANE SCHULZ, TREASURER  
QEP RESOURCES INC POLITICAL ACTION  
COMMITTEE  
1050 17TH STREET, SUITE 500  
DENVER, CO 80265

**Response Due Date**  
**08/01/2013**

IDENTIFICATION NUMBER: C00485730

REFERENCE: JULY QUARTERLY REPORT (04/01/2012 - 06/30/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report 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 2 item(s):

1. Your filings disclose that your committee may have satisfied the criteria set forth at 11 CFR §100.5(e)(3) for becoming a multicandidate committee; however, the Commission has no record of a FORM 1M (Notification of Multicandidate Status) filed by your committee. Please be advised that once a political committee meets the certification requirements **or** becomes affiliated with an existing multicandidate committee, whether or not that political committee has certified its status as a multicandidate committee, it automatically attains multicandidate status and must file a FORM 1M (Notification of Multicandidate Status) within ten (10) calendar days. The certification requirements for multicandidate status have been satisfied when a political committee:

- 1 - has received contributions for federal elections from at least 51 persons;
- 2 - has been registered with the Commission for at least 6 months; and
- 3 - has made contributions to at least five federal candidates.

For further guidance on the multicandidate certification requirements, please see 11 CFR §§102.2(a)(3), 110.2(a)(1) and (2). Please submit a FORM 1M to disclose the required information for the public record. A copy of FEC FORM 1M can be downloaded from the FEC website at <http://www.fec.gov>, or requested through the FEC Fax line at (202) 501-3413.

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2. Schedule B supporting Line 23 of your report discloses one or more contributions to candidates for the 2012 Primary election; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign. (11 CFR §§110.1(b)(3) and 110.2(b)(3))

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contributions in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund. (11 CFR §103.3(b)(1) and (3))

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committees. In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contributions will be taken into consideration.

- Your report discloses an in kind contribution made on behalf of a federal candidate. The original payments for the goods and services have been itemized as operating expenditures and included in the total for Line 21 of the Detailed Summary Page. In addition, the attribution to each federal candidate has been noted as a memo entry on supporting Schedule B for Line 23 (Contributions to Federal Candidates and Other Political Committees).

For your information and consideration when preparing future filings, please be

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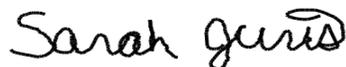
advised that the amount of such activity should be disclosed on Line 23 of the Detailed Summary Page so that the total amount of contributions to federal candidates (including in-kind contributions) are properly included on Line 23 of the Detailed Summary Page. (11 CFR §104.3 (b)(1)) For future filings, please refer to the Campaign Guide.

- For your information and consideration when preparing future filings, only contributions to federal candidates and political committees should be itemized on a separate Schedule B supporting Line 23 of the Detailed Summary Page. Contributions to non-federal candidates and committees should be itemized on Schedule B supporting Line 29. (11 CFR §104.3 (b)(1)) For your next filing, please refer to the instructions for each line when determining the proper categorization(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) 694-1175.

Sincerely,



Sarah Juris  
Campaign Finance Analyst  
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions**  
**QEP RESOURCES, INC. POLITICAL ACTION COMMITTEE (C00485730)**

**Contributions Made After Election Date**

<b>Recipient Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>	<b>Election (State-Date)</b>
Berg for Senate	6/14/12	\$2,500.00	P2012	ND - 6/12/12
Manchin for West Virginia	6/14/12	\$1,000.00	P2012	WV - 5/8/12