



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

October 7, 2005

Jennifer Wilson, Treasurer
National Stone Sand & Gravel
Association ROCKPAC
1605 King Street
Alexandria, VA 22314

**Response Due Date:
November 7, 2005**

Identification Number: C00089458

Reference: Mid-Year Report (1/1/05 – 6/30/05)

Dear Ms. Wilson:

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 A of your report discloses one or more contributions totaling \$5000 from Arkansas Pit & Quarry Co., which appears to be a corporation(s). 2 U.S.C. §441b(a) prohibits the receipt of contributions from corporations unless made from a separate segregated fund established by the corporation.

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

If you have received a prohibited contribution(s), you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

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If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. See 11 CFR §103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action by your committee to transfer-out or refund the amount will be taken into consideration.

-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 candidate for federal office in excess of \$5,000 per election.

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

If any contribution you made exceeds the limits, you must request a refund of the excessive amount 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 of the excessive amount.

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 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. 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 the excessive contribution(s), your prompt action in obtaining a refund and/or

redesignating the contribution(s) will be taken into consideration.

-Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the 2004 General 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.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) 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.

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 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. 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 contribution(s) will be taken into consideration.

-Schedule A supporting Line 16 discloses a refund of a contribution received from Oldcastle Material Inc. PAC. However, it appears that this contribution was not previously reported by your committee. Please amend the appropriate report(s) to disclose the original date of the contribution on Schedule B supporting Line 23 of the Detailed Summary Page.

-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Operating

expenses should be properly disclosed on a separate Schedule B, supporting Line 21(b) of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

-Commission records indicate the name of your political committee is "National Stone Sand & Gravel Association ROCKPAC". However, your committee has filed this report(s) using the name "ROCKPAC". While committees may use commonly recognized abbreviations on daily communications (i.e. letterhead and committee checks), committee filings such as disclosure reports and amendments must reflect the official name of the connected organization, as well as any abbreviation within its title. 11 CFR §102.14(c) Please amend your report(s) to clarify this apparent discrepancy.

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 5 to reach the Reports Analysis Division) or my local number (202) 694-1157.

Sincerely,



Laura E. Sinram
Campaign Finance Analyst
Reports Analysis Division

Excessive Contribution to a Candidate/Committee with an Affiliated Committee:

Recipient Name	Date	Amount	Election	Report	Contributing Affiliate
Bill Shuster for Congress	4/13/05	\$1,000.00	Primary	July Quarterly	C00114025
Bill Shuster for Congress	4/25/05	\$1,000.00	Primary	Mid Year	C00089458
Bill Shuster for Congress	6/9/05	\$4,000.00	Primary	Mid Year	C00089458
Ensign for Senate	3/7/05	\$5,000.00	Primary	April Quarterly	C00114025
Ensign for Senate	4/18/05	\$2,000.00	Primary	Mid Year	C00089458
Ensign for Senate	4/25/05	-\$2,000.00	Primary	Mid Year	C00089458
Ensign for Senate	4/25/05	\$1,000.00	Primary	Mid Year	C00089458
Ensign for Senate	5/24/05	\$1,500.00	Primary	Mid Year	C00089458

Contributions to a Candidate After Election – No Debt Designation

Recipient Name	Date	Amount	Election	Election State - Date
Westmoreland for Congress	2/23/05	\$1,000.00	General 2004	Georgia - 11/2/04

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