



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

March 25, 2015

MARTIN CADOGAN, TREASURER
O' SAY CAN YOU SEE PAC
P.O. BOX 468
ANNAPOLIS, MD 21404

Response Due Date
04/29/2015

IDENTIFICATION NUMBER: C00525220

REFERENCE: 30 DAY POST-GENERAL REPORT (10/16/2014 - 11/24/2014)

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 4 item(s):

1. Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. Please be advised that 52 U.S.C. §30116(f) (formerly 2 U.S.C. §441a(f)) and 11 CFR §§110.1(d) and 110.2(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

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

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal

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elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

The Commission notes "This contribution exceeds the annual limit and will be refunded" Although the Commission may take further legal action concerning the excessive contribution(s), your prompt action in requesting a refund of the contribution(s) will be taken into consideration.

2. Schedule A of your report (see attached) discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 52 U.S.C. § 30116(f) and 30118 (formerly 2 U.S.C. §§441a(f) and 441b) or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

To the extent that your committee has received prohibited funds, you may have

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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.

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. (11 CFR §103.3(b)(1))

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer- out or refund. Should you choose to transfer-out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

The Commission notes, "Note: This contribution was intended for the non-federal account and will be transferred." Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

3. Schedule B supporting Line 23 discloses one or more contributions to a candidate(s) for the 2014 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. (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 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.

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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 promptly 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.

4. Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 52 U.S.C. §30116(a) (formerly 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.

The Commission notes the request for a refund of the excessive contribution(s) as disclosed as a debt owed to the committee on Schedule D, supporting Line 9. Please provide the date of this request and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). 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. Although the Commission may take further legal action concerning the excessive contribution(s), your prompt action in requesting a refund of the contribution(s) will be taken into consideration.

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**

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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) 694-1164.

Sincerely,

A handwritten signature in black ink that reads "Nicole Miller". The signature is written in a cursive, flowing style.

Nicole Miller
Sr. Campaign Finance & Reviewing Analyst
Reports Analysis Division

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**Excessive, Prohibited, and Impermissible Contributions
O' Say Can You See PAC (C00525220)**

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Report
Thomas Fay	6/4/14	\$5,000.00	2014 July Quarterly
Thomas Fay	10/16/14	\$5,000.00	2014 30 Day Post-General
Michael Stratton	7/23/14	\$5,000.00	2014 12 Day Pre-Primary
Michael Stratton	11/6/14	\$1,000.00	2014 30 Day Post-General

Contributions from Unregistered Organizations

Contributor Name	Date	Amount	Report
Baltimore Gas And Electric PAC	11/6/14	\$2,000.00	2014 30 Day Post-General
Laborer's Political League	10/20/14	\$5,000.00	2014 30 Day Post-General

In-Kind Contributions Made After Election Date

Recipient Name	Payee	Date	Amount	Election
DAVID WAYNE LOEBSACK	Enterprise Rent-A-Car	11/10/14	\$2,512.49	General - 11/4/14
PATRICK JOSEPH MURPHY	Enterprise Rent-A-Car	11/10/14	\$2,229.32	General - 11/4/14
STACI APPEL	Enterprise Rent-A-Car	11/12/14	\$1,897.77	General - 11/4/14

Excessive Contributions to a Candidate Committee

Recipient Name	Date	Amount	Election	Report
LOEBSACK FOR CONGRESS	7/22/14	\$2,500.00	G2014	2014 12 Day Pre-Primary
LOEBSACK FOR CONGRESS	9/30/14	-\$2,500.00	G2014	2014 October Quarterly
DAVID WAYNE LOEBSACK	9/30/14	\$1,250.00	G2014	2014 October Quarterly
DAVID WAYNE LOEBSACK	9/30/14	\$1,250.00	G2014	2014 October Quarterly
DAVID WAYNE LOEBSACK	10/15/14	\$1,250.00	G2014	2014 12 Day Pre-Primary
DAVID WAYNE LOEBSACK	10/31/14	\$1,250.00	G2014	2014 30 Day Post-General
DAVID WAYNE LOEBSACK	11/10/14	\$2,512.49	G2014	2014 30 Day Post-General
PATRICK JOSEPH MURPHY	9/15/14	\$1,250.00	G2014	2014 October Quarterly
PATRICK JOSEPH MURPHY	9/30/14	\$1,250.00	G2014	2014 October Quarterly
PATRICK JOSEPH MURPHY	10/15/14	\$1,250.00	G2014	2014 12 Day Pre-Primary
PATRICK JOSEPH MURPHY	10/31/14	\$1,250.00	G2014	2014 30 Day Post-General
PATRICK JOSEPH MURPHY	11/10/14	\$2,229.32	G2014	2014 30 Day Post-General