



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 21, 2015

KELLY STEWART MAER, TREASURER
NEW JERSEY DEMOCRATIC STATE
COMMITTEE
196 WEST STATE STREET
TRENTON, NJ 08608

Response Due Date
02/25/2015

IDENTIFICATION NUMBER: C00104471

REFERENCE: OCTOBER MONTHLY REPORT (09/01/2014 - 09/30/2014)

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 2 item(s):

1. Schedule B supporting Line 30(b) of your report discloses a payment(s) for "Communications Consulting Services" which is categorized as Federal Election Activity and therefore, may require the disclosure of the candidate(s) this activity should be attributed to. Expenditures and disbursements for public communications that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, please be advised that public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate rather than on Schedule B for Line 30(b). Please clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

2. Your August Monthly (7/1/14-7/31/14), September Monthly

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(8/1/14-8/31/14) and October Monthly (9/1/14-9/30/14) Reports combined contain(s) information disclosed on Schedules H1, H2, and H4. These schedules are used by committees which have separate federal and non-federal accounts to disclose the allocation of funds for expenditures between the two types of accounts. However, your reports do not show payments from a non-federal account on a Schedule H3, as would be customary for committees who allocate between accounts. If your committee does not maintain a non-federal account, all disbursements should be disclosed on a Schedule B and no allocation schedules filed. Please clarify the procedures you are currently using to allocate shared expenses if any, and report future transactions appropriately.

Please note that transfers for allocated activity must be made within a 70-day time period: no more than 10 days before and no more than 60 days after payment to the vendor. (11 CFR §§106.6(e)(2) and 106.7(f)(2))

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) 694-1164.

Sincerely,



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