



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-5

Frederick A. Ciocca, Treasurer
Bill Shuster for Congress
P.O. Box 27
Hollidaysburg, PA 16648

OCT 18 2002

Identification Number: C00364935

Reference: July Quarterly Report (5/2/02-6/30/02)

Dear Mr. Ciocca:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses one or more contributions received after the Primary Election which are designated for the primary. These contributions may only be accepted to the extent that the committee has net debts outstanding from the primary election. (11 CFR §110.1(b)(3)(i))

A contribution is considered to be made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered to have been made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR §110.1(b)(6))

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

If one or more contributions accepted exceeds the amount of net debts outstanding from the primary election, you must refund the contribution(s) or seek redesignation of the contribution(s), in writing, from the contributor to the next election. The Commission must be notified if a refund is necessary.

The funds can be retained if within sixty (60) days of receipt, the excessive amount was properly designated for a different election, by obtaining signed written authorization from the contributor(s) pursuant to 11 CFR §110.1(b)(5) or §110.2(b)(5).

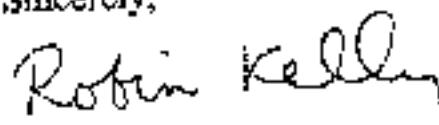
If the foregoing conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded. See CFR §103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any refund and/ or any photocopies of letters redesignating the contributions in question. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or seek redesignation of the excessive amount will be taken into consideration.

Any amendment or clarification should be filed with the Federal Election Commission. 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 need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Robin Kelly
Campaign Finance Analyst
Reports Analysis Division

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