



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

August 10, 2021

JOYCE FISCHER, TREASURER
BENNET FOR COLORADO
PO BOX 3078
DENVER, CO 80201

Response Due Date
09/14/2021

IDENTIFICATION NUMBER: C00458398

REFERENCE: APRIL QUARTERLY REPORT (01/01/2021 - 03/31/2021)

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 A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,900 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b), (e) and (k))

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.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for each option are provided below.

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For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question.

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Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. It appears that Schedule A of your report discloses the receipt of anonymous contributions that exceed \$50. The Commission notes your additional explanation regarding the committee's corrective action taken for **all** of these contributions. Please be advised that federal regulations prohibit an individual from contributing anonymous contributions which, in the aggregate, exceed \$50. If any receipt in question was incompletely or incorrectly reported, you must amend your original report with the clarifying information. If the committee has been in receipt of an anonymous contribution greater than \$50, the excessive amount must be promptly disposed of and may be used for any lawful purpose unrelated to any Federal election, campaign or candidate. In an amendment to this report, please inform the Commission of your corrective action immediately in writing, if you have not already done so. (11 CFR § 110.4(c)(3))

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. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RAFI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your

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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) 694-1167.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise Stilla", with a stylized flourish at the end.

Denise Stilla
Senior Campaign Finance Analyst

Apparent Excessive, Prohibited, and Impermissible Contributions
Bennet for Colorado (C00458398)

Apparent Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Boger, Joshua S	3/4/21	\$2,900.00	P2022
Boger, Joshua	3/31/21	\$2,500.00	P2022
Burkley, Walt	4/14/20	\$2,800.00	P2022
Burkley, Walt	3/16/21	\$2,900.00	P2022
Heimark, Libby	3/24/17	\$2,500.00	P2022
Heimark, Libby	11/24/20	\$100.00	P2022
Heimark, Libby	12/21/20	\$100.00	P2022
Heimark, Libby	2/2/21	\$2,900.00	P2022
Jones, Alan	4/14/20	\$2,800.00	P2022
Jones, Alan	12/18/20	\$1,400.00	P2022
Jones, Alan	3/15/21	\$1,500.00	P2022
Kechriotis, John Hobart	3/8/21	\$11,600.00	P2022
Loy, Frank E.	2/11/18	\$1,000.00	P2022
Loy, Frank E.	4/14/20	\$2,800.00	P2022
Loy, Frank E.	2/8/21	\$1,900.00	P2022
Myhren, Trygve E.	11/30/20	\$333.33	P2022
Myhren, Trygve E.	11/30/20	\$1,000.00	P2022
Myhren, Trygve E.	12/2/20	\$500.00	P2022
Myhren, Trygve E.	1/27/21	\$2,800.00	P2022
Myhren, Trygve E.	2/10/21	\$200.00	P2022
Rose, Diana Calthorpe	3/31/21	\$3,100.00	P2022
Rose, Jonathan FP	7/5/17	\$2,700.00	P2022
Rose, Jonathan	3/31/21	\$2,700.00	P2022
Rosenblatt, Lawrence	3/31/21	\$5,800.00	P2022
Soffer, Jill	4/14/20	\$900.00	P2022
Soffer, Jill	3/26/21	\$2,900.00	P2022
Tombback, Andrew E.	4/14/20	\$2,800.00	P2022

Apparent Excessive, Prohibited, and Impermissible Contributions
Bennet for Colorado (C00458398)

Tomback, Andrew E.	12/13/20	\$1,000.00	P2022
Tomback, Andrew E.	3/15/21	\$1,900.00	P2022