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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

September 14, 2010

KEITH A. DAVIS, TREASURER
MARCO RUBIO FOR US SENATE
2030 SOUTH DOUGLAS ROAD, SUITE 105
CORAL GABLES, FL 33134

Response Due Date
10/19/2010

IDENTIFICATION NUMBER: C00458844

REFERENCE: JULY QUARTERLY REPORT (04/01/2010 - 06/30/2010)

Dear Treasurer:

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 Senate Public Records Office by the response date noted above. 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** items:

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). You should examine all of your contributions to check for additional excessive contributions. The Committee's procedures for processing contributions should also be reviewed.

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution to a candidate for federal office in excess of $2,400 per election. An authorized committee may not make a contribution 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. (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.

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

For reattributions, excessive contributions from individuals can be retained, if within sixty (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 sixty (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).

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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. 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 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))

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, redesignate, and/or reattribute of the excessive amount will be taken into consideration.

2. On Schedule B of your report, you have itemized disbursements with the purpose of "Voided Check." Please be advised that if the committee received goods or services from a vendor without making any payment for the services rendered, the committee may be in receipt of a prohibited contribution. 2 U.S.C. § 441b(a) prohibits the receipt of contributions from corporations unless made from separate segregated funds established by the corporations and labor organizations. Any prohibited contribution must be refunded or disgorged. (11 CFR § 103.3(b)(1) and (2)) The refund must be made within thirty (30) days of the treasurer becoming aware of the possible illegality of the contribution. (11 CFR § 103.3(b)(2)) If the identity of the contributor cannot be determined, the committee must disgorge funds to a governmental entity or to a qualified charitable organization described in 2 U.S.C. § 170(c). (Commission Advisory Opinions 1995-19 and 1991-39). Please take and report corrective action or amend your report if these transactions were incompletely or incorrectly disclosed.

3. Your report discloses a transfer of joint fundraising receipts from Conservative Joint Victory Fund. You must provide a Memorandum Schedule A disclosing your share of gross receipts. Contributions from original contributors whose total contributions to your committee have exceeded $200 during the election cycle must be itemized on this schedule. The itemization should include the full name, mailing address and zip code of the person, along with the name of his/her employer, the date of the contribution, his/her occupation, the election designation and the election cycle-to-date amount of contributions made by this person. If necessary, please provide a memo Schedule A containing the required information. (11 CFR § 102.17(c)(8)(i)(B))

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4. Schedule B of your report discloses reimbursements to staff for apparent travel and subsistence advances in which the total amount reimbursed exceeds $500. When the reimbursement amount to staff for travel and subsistence advances exceeds $500, the payments by staff to any one vendor that make up the reimbursement may have to be itemized. For example, if the campaign related payments to any one vendor by the campaign/staff aggregate in excess of $200 for the election cycle, the staff advance payment to the vendor must also be itemized in a memo entry for that reimbursement. Each memo entry must include the complete name and address of the original vendor, as well as the date, amount and detailed purpose of the advance. If itemization is not necessary for a particular reimbursement to staff in excess of $500, you must indicate so in an amendment to this report. Please amend your report to include the missing or clarifying information. See Advisory Opinion 1996-20 for additional clarification. (11 CFR § 104.9)

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**.

A written response or an amendment to your original report(s) correcting the above problems should be filed with the Senate Public Records Office. Please contact the Senate Public Records Office at (202) 224-0322 for instructions on how and where to file an amendment. 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) 694-1165.

Sincerely,

Rebecca Hough

Rebecca Hough
Senior Campaign Finance Analyst
Reports Analysis Division

Excessive and/or Prohibited Contributions
Marco Rubio for US Senate (C00458844)
July Quarterly Report (4/1/10 - 6/30/10)

P = Primary Election
G = General Election

CONTRIBUTOR NAME		DATE	AMOUNT	ELECTION
AGATSTON	ARTHUR S DR	6/10/2010	$4,800.00	P, 2010
ALTMAN	THOMAS MR	4/23/2010	$400.00	P, 2010
ALTMAN	THOMAS MR	5/19/2010	$200.00	P, 2010
ALTMAN	THOMAS MR	6/14/2010	$4,000.00	P, 2010
ASNESS	CLIFF	6/30/2010	$3,316.67	P, 2010
ASNESS	LAUREL	6/30/2010	$4,000.00	P, 2010
BUCHWALD	JAMES P MR	3/31/2010	$1,000.00	P, 2010
BUCHWALD	JAMES P MR	6/3/2010	$750.00	P, 2010
BUCHWALD	JAMES P MR	6/30/2010	$750.00	P, 2010
CONRADES	GEORGE H MR	12/17/2009	$1,000.00	P, 2010
CONRADES	GEORGE H MR	4/6/2010	$2,400.00	P, 2010
CONRADES	GEORGE H MR	4/6/2010	-$1,000.00	P, 2010
CONRADES	GEORGE H MR	6/18/2010	$2,000.00	P, 2010
CONRADES	PATRICIA MRS	4/6/2010	$1,000.00	P, 2010
CONRADES	PATRICIA MRS	5/20/2010	$2,400.00	P, 2010
CRUZ	GUILLERMO MR	5/12/2010	$9,600.00	P, 2010
DAVIS	KENT	9/15/2009	$500.00	P, 2010
DAVIS	KENT R MR	11/12/2009	$1,000.00	P, 2010
DAVIS	KENT R MR	1/18/2010	$1,000.00	P, 2010
DAVIS	KENT R MR	1/22/2010	-$100.00	P, 2010
DAVIS	KENT R MR	6/11/2010	$1,000.00	P, 2010
DOSAL	MARGARITA MS	1/18/2010	$2,400.00	P, 2010
DOSAL	MARGARITA MS	6/22/2010	$4,800.00	P, 2010
ERICKSON	DAVID MR	11/24/2009	$1,000.00	P, 2010

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ERICKSON	DAVID MR	2/23/2010	$1,000.00	P, 2010
ERICKSON	DAVID MR	5/12/2010	$1,000.00	P, 2010
ERICKSON	DAVID MR	6/30/2010	$600.00	P, 2010
ERICKSON	DAVID MR	6/30/2010	-$600.00	P, 2010
FEINGOLD	BARBARA S MRS	6/28/2010	$4,600.00	P, 2010
FEINGOLD	JEFFREY P DR	6/28/2010	$4,600.00	P, 2010
GARCIA	CARLOS M MR	5/18/2010	$4,800.00	P, 2010
GIBBS	GEORGE W MR	9/30/2009	$500.00	P, 2010
GIBBS	GEORGE W MR	10/28/2009	$1,000.00	P, 2010
GIBBS	GEORGE W MR	12/18/2009	$2,000.00	P, 2010
GIBBS	GEORGE W MR	12/18/2009	-$1,100.00	P, 2010
GIBBS	GEORGE W MR	6/30/2010	$1,000.00	P, 2010
HALVERSON	STEVE T MR	11/9/2009	$1,000.00	P, 2010
HALVERSON	STEVE T MR	6/30/2010	$2,400.00	P, 2010
HATTEMER	BARBARA M MRS	11/16/2009	$250.00	P, 2010
HATTEMER	BARBARA M MRS	12/31/2009	$165.00	P, 2010
HATTEMER	BARBARA M MRS	2/5/2010	$428.29	P, 2010
HATTEMER	BARBARA M MRS	3/12/2010	$389.42	P, 2010
HATTEMER	BARBARA M MRS	3/26/2010	$1,000.00	P, 2010
HATTEMER	BARBARA M MRS	3/31/2010	$50.00	P, 2010
HATTEMER	BARBARA M MRS	5/26/2010	$250.00	P, 2010
HATTEMER	BARBARA M MRS	6/15/2010	$132.71	P, 2010
HATTEMER	BARBARA M MRS	6/15/2010	-$132.71	P, 2010
HEITHOFF	KENNETH MR	3/14/2010	$1,498.54	P, 2010
HEITHOFF	KENNETH MR	3/15/2010	$2,400.00	P, 2010
HEITHOFF	KENNETH DR	5/7/2010	-$1,498.54	P, 2010
HEITHOFF	KENNETH DR	6/18/2010	$900.00	P, 2010

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HEITHOFF	KENNETH DR	6/18/2010	$900.00	P, 2010
HERZOG	STANLEY M MR	5/21/2010	$4,800.00	P, 2010
HUMMER	JAMES J MR	5/25/2010	$4,800.00	P, 2010
JUNGREIS	A C DR	6/15/2010	$4,800.00	P, 2010
KASSEL	TERRY	3/25/2010	$2,400.00	P, 2010
KASSEL	TERRY	6/30/2010	$2,400.00	P, 2010
KATZ	CARY	12/24/2009	$2,400.00	P, 2010
KATZ	CARY	6/14/2010	$2,400.00	P, 2010
KOCH	CHARLES MR	12/4/2009	$500.00	P, 2010
KOCH	CHARLES MR	3/17/2010	$2,400.00	P, 2010
KOCH	CHARLES MR	4/14/2010	$500.00	P, 2010
KROUSE	RODGER MR	5/18/2010	$4,800.00	P, 2010
LECOCO	JANICE M MS	11/13/2009	$500.00	P, 2010
LECOCO	JANICE M MS	2/1/2010	$787.00	P, 2010
LECOCO	JANICE M MS	3/22/2010	$100.00	P, 2010
LECOCO	JANICE M MS	4/28/2010	$1,000.00	P, 2010
LECOCO	JANICE M MS	5/7/2010	-$87.00	P, 2010
LECOCO	JANICE M MS	6/30/2010	$1,000.00	P, 2010
LEDER	MARC J MR	5/18/2010	$4,800.00	P, 2010
LEVINE	MARK	3/25/2010	$1,500.00	P, 2010
LEVINE	MARK	6/30/2010	$1,928.57	P, 2010
LEVY	LAURA C MS	5/27/2010	$4,800.00	P, 2010

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LIEW	JOHN MIHN SOO	3/25/2010	$2,400.00	P, 2010
LIEW	JOHN MIHN SOO	6/30/2010	$2,400.00	P, 2010
LUE	PETER MR	9/11/2009	$500.00	P, 2010
LUE	PETER MR	9/28/2009	$300.00	P, 2010
LUE	PETER MR	9/30/2009	$500.00	P, 2010
LUE	PETER MR	10/23/2009	$500.00	P, 2010
LUE	PETER MR	1/15/2010	$400.00	P, 2010
LUE	PETER MR	4/14/2010	$1,000.00	P, 2010
LUE	PETER MR	4/23/2010	-$800.00	P, 2010
LUE	PETER MR	6/30/2010	$500.00	P, 2010
MCCLELLAND	NORMAN P MR	5/25/2010	$4,800.00	P, 2010
MILAM	ARTHUR W MR	8/27/2009	$500.00	P, 2010
MILAM	ARTHUR W MR	9/30/2009	$500.00	P, 2010
MILAM	ARTHUR W MR	3/3/2010	$250.00	P, 2010
MILAM	ARTHUR W MR	3/3/2010	$250.00	P, 2010
MILAM	ARTHUR W MR	4/13/2010	$500.00	P, 2010
MILAM	ARTHUR W MR	5/25/2010	$500.00	P, 2010
MILAM	ARTHUR W MR	6/15/2010	-$100.00	P, 2010
MILAM	ARTHUR W MR	6/30/2010	$500.00	P, 2010
MOREA	SHEREE MRS	6/15/2010	$2,500.00	P, 2010
MYERS	C B MR III	5/27/2010	$4,800.00	P, 2010
ORRINPAC		6/8/2010	$5,000.00	P, 2010
ORRINPAC		6/8/2010	$5,000.00	P, 2010
PHELAN	JOHN	6/30/2010	$4,800.00	P, 2010
PINO	SERGIO MR	6/26/2009	$2,300.00	P, 2010
PINO	SERGIO MR	3/1/2010	$2,400.00	P, 2010

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PINO	SERGIO MR	3/9/2010	$100.00	P, 2010
PINO	SERGIO	6/21/2010	-$2,400.00	P, 2010
PINO	SERGIO MR	6/29/2010	$1,000.00	P, 2010
PINO	TATIANA MRS	6/26/2009	$2,300.00	P, 2010
PINO	TATIANA MRS	3/1/2010	$2,400.00	P, 2010
PINO	TATIANA MRS	3/9/2010	-$100.00	P, 2010
PINO	TATIANA MRS	3/9/2010	-$2,200.00	P, 2010
PINO	TATIANA MRS	6/29/2010	$500.00	P, 2010
POWELL	EARL W MR	5/18/2010	$9,600.00	P, 2010
RESCHINI	ROGER J MR	6/30/2010	$4,800.00	P, 2010
RUBIN	WILLIAM D MR	6/3/2010	$4,800.00	P, 2010
SAMPSON	JOHN W MR	3/22/2010	$500.00	P, 2010
SAMPSON	JOHN W MR	4/20/2010	$1,000.00	P, 2010
SAMPSON	JOHN W MR	5/19/2010	$500.00	P, 2010
SAMPSON	JOHN W MR	6/1/2010	$500.00	P, 2010
SCHWAB	HELEN O MS	5/10/2010	$4,800.00	P, 2010
SIMON	ALLEN H MR	9/22/2009	$500.00	P, 2010
SIMON	ALLEN H MR	1/12/2010	$2,300.00	P, 2010
SIMON	ALLEN H MR	1/15/2010	-$400.00	P, 2010
SIMON	ALLEN H MR	5/12/2010	$2,400.00	P, 2010
SNYDER	WILLIAM MR	1/20/2010	$1,000.00	P, 2010
SNYDER	WILLIAM MR	4/14/2010	$2,000.00	P, 2010
SNYDER	WILLIAM MR	4/23/2010	$600.00	P, 2010
SNYDER	WILLIAM MR	4/23/2010	-$600.00	P, 2010
SUH	CHRISTOPHER D MR	4/26/2010	$2,400.00	P, 2010

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SUH	CHRISTOPHER D MR	6/9/2010	$1,080.00	P, 2010
WALKER	DOUGLAS G MR	10/30/2009	$500.00	P, 2010
WALKER	DOUGLAS G MR	12/31/2009	$100.00	P, 2010
WALKER	DOUGLAS G MR	2/8/2010	$78.70	P, 2010
WALKER	DOUGLAS G MR	4/15/2010	$100.00	P, 2010
WALKER	DOUGLAS G MR	5/25/2010	$4,500.00	P, 2010
WARRICK	WILLIAM L MR	5/25/2010	$4,800.00	P, 2010
ZWICK	NICHOLAS MR	12/17/2009	$1,000.00	P, 2010
ZWICK	NICHOLAS MR	4/13/2010	$2,000.00	P, 2010
ZWICK	NICHOLAS MR	4/23/2010	-$600.00	P, 2010
ZWICK	NICHOLAS MR	5/10/2010	$1,000.00	P, 2010
ZWICK	NICHOLAS MR	6/3/2010	$800.00	P, 2010
ZWICK	NICHOLAS MR	6/15/2010	-$1,000.00	P, 2010