

BEFORE THE FEDERAL ELECTION COMMISSION

Affidavit of
Keith A. Davis

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MUR 6045

ORIGINAL

**AFFIDAVIT OF KEITH A. DAVIS
REGARDING THE COMPLAINT FILED IN MUR 6045**

I, Keith A. Davis, serve as an accountant to the National Republican Senatorial Committee. In that capacity, I am often called upon to answer questions from Republican U.S. Senate campaigns about accounting and compliance issues.

During the month of December 2007, I received a question from the Wicker for Senate campaign regarding the process by which the campaign could transfer funds from Friends of Roger Wicker, Senator Wicker's U.S. House campaign fund, to Wicker for Senate. Specifically, the campaign sought to determine the precise application of the "first in, first out" (FIFO) accounting method to such a transfer.

In order to answer this question correctly, I contacted the Commission's Audit Division on January 8, 2008. The auditor with whom I spoke instructed that FIFO principles should be applied *to each election cycle separately*, such that funds expended during the 2008 campaign cycle would be considered first drawn from contributions given first during that cycle, not from funds carried over from previous election cycles. Following the exhaustion of 2008 primary funds, the next funds to be spent would be attributed to those who contributed during the 2006 election cycle. At no point did the auditor contact me at a later date to contradict this advice, and I was never led to believe that the advice was incorrect or unreliable. I communicated the information to the Wicker for Senate campaign, which proceeded to rely upon it in making decisions about fundraising and transfers from Friends of Roger Wicker.

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I understand that the Commission has requested information about my conversations with the Audit Division. If the Office of the General Counsel is unable to make the necessary determinations by speaking with members of the Audit Division, I would be willing to speak with OGC about this matter.

Keith A. Davis

Keith A. Davis

Sworn to and subscribed before me this 10th day of November, 2008.

Sandra E. Seim
Notary Public #178536

My Commission Expires: 11/30/2011

SANDRA E. SEIM
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA

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