



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Earl Scates, Treasurer
Democratic Executive Committee of Florida
517 N. Calhoun Street Box 1758
Tallahassee, FL 32302

AUG 21 2002

Identification Number: C00005561

Reference: April Quarterly Report (1/1/02-3/31/02)

Dear Mr. Scates:

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:

-Your report discloses a total of \$25,000 in disbursements to "Peoples First Community Bank" for 12/12/01 Account (pertinent portion(s) attached). 2 U.S.C. §441b prohibits a corporation or labor organization from contributing or expending funds for the purpose of influencing any federal election, except that a connected organization may pay for the solicitation and administrative costs of its separate segregated fund.

Please amend your report to clarify the nature of the transaction(s) in question and provide the date of the original deposit in your account. If the funds were deposited in your committee's account in error, the original receipt must also be disclosed on Schedule A supporting the appropriate line of the Detailed Summary Page on an amended report covering the period during which the receipt occurred. Although the Commission may take further legal action concerning this matter, your prompt action will be taken into consideration.

-Please provide the total(s) for Line 6(a), Column B of the Summary Page. Note that changes in your figures may affect your Column B totals on this report and/or on subsequent reports.

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-Your calculations for Line 8 appear to be incorrect. Cash-on-hand at the close of the current reporting period should always equal the closing calendar year-to-date cash-on-hand amount. Please provide the corrected total on the Summary Page.

-Schedule A supporting Line 16 discloses a refund of a contribution made to Elaine Bloom, Carrie Meek, and Ron Greenstein. However, it appears that this contribution was not previously reported by your committee. Please amend the appropriate report(s) and disclose the original date of the contribution on Schedule B supporting Line 23 of the Detailed Summary Page.

-On Schedule A supporting Line 16 of the Detailed Summary Page, you disclose receipts from federal and non-federal candidates. Line 16 is to be used to report the refund of contributions made to federal candidates. Please clarify the nature of these transactions or refer to the instructions contained on the Detailed Summary Page to determine the proper categorization and amend your report as appropriate.

-Your report discloses receipts totaling \$8,077 from ASDC/Dollars for Democrats, which is a joint fundraising committee(s) affiliated with your committee. Please be advised that a memo Schedule A must be provided to itemize your committee's share of the gross contributions received through the joint fundraiser(s). The memo schedule should itemize each individual who has contributed an aggregate in excess of \$200 during the calendar year, and provide the amount of unitemized contributions received. In addition, the memo schedule should itemize your committee's share of all contributions from political committees, regardless of amount. Please amend your report by providing the omitted memo schedule(s). 11 CFR §102.17(c)(8)(i)(B)

-Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the

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information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR §104.7(b)(1))

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2))
The request must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you shall either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR §104.7(b)(4))

Please provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

-On Schedule H2, you have failed to check the Type of Activity box for the activity/event "A009". Please amend your report to correct this omission.
11 CFR §104.10(a)(1)

-Schedule H2 of your report indicates that your committee participated in "A007", "A010", "A014", "A011", "A019", "A021", and "A022" activities

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or events during the reporting period. However, there are no corresponding disbursements reflected on your Schedule H4. Note that you need not include activities on Schedule H2 if there are no corresponding payments made for the activity during the reporting period. If any disbursements were incorrectly reported, you should file an amended Schedule H4 with the correct unique identifying code or title, or provide clarifying information regarding the activities on Schedule H2.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule H4 of your report to clarify the following description(s): "Conference Fees/Contract Work", "Consulting Fees", "Consulting Fee", "Event Supplies", "Professional Consulting", "Refund", "Research", and "Supplies Reimbursement". For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Schedule H4 of your report discloses an apparent contribution to "Enron Corporation". Please be advised that contributions to federal committees and/or non-federal committees/organizations do not qualify as shared expenses to be allocated between your federal and non-federal accounts. Contributions to federal committees should be disclosed on a Schedule B supporting Line 23 of the Detailed Summary Page and contributions to non-federal committees/organizations on a separate Schedule B supporting Line 29. Any reimbursement from your committee's non-federal account for any portion of this contribution(s) is not permissible. 11 CFR §102.5(a)(1)(i)

The Commission recommends that you immediately transfer the funds received by your federal account, as reimbursement for the non-federal portion, back to your non-federal account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

-Your report disclosed certain categories of financial activity that have been reflected on the wrong lines of the Detailed Summary Page. Contributions from other Political Action Committees, transfers in from joint fundraising committees and other affiliated committees, and offsets to operating expenditures should be properly disclosed on a separate Schedule(s) A's, supporting Lines 11(e), 12, and 15, respectively, of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine

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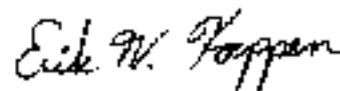
portion, back to your non-federal account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

-Your report disclosed certain categories of financial activity that have been reflected on the wrong lines of the Detailed Summary Page. Contributions from other Political Action Committees, transfers in from joint fundraising committees and other affiliated committees, and offsets to operating expenditures should be properly disclosed on a separate Schedule(s) A's, supporting Lines 11(c), 12, and 15, respectively, of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Refunds to individuals should be properly disclosed on a separate Schedule R, supporting Line 28(a) of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

A response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. Electronic filers must file amendments (to include statements, designation 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,



Erik W. Koeppe
Reports Analyst
Reports Analysis Division

22.038.770.5021