



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

April 22, 2015

XAVIER MARTINEZ, TREASURER  
SAN DIEGO COUNTY DEMOCRATIC PARTY  
(FED. ACCT.)  
8340 CLAIREMONT MESA BOULEVARD SUITE 105  
SAN DIEGO, CA 92111-1320

**Response Due Date**  
**05/27/2015**

IDENTIFICATION NUMBER: C00402826

REFERENCE: YEAR-END REPORT (11/25/2014 - 12/31/2014)

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 3 item(s):

1. The Detailed Summary Page, on Line 18(a) Column A of your Amended 12 Day Pre-General (10/1/14 - 10/15/14), received 12/2/14, 30 Day Post-General (10/16/14 - 11/24/14), and Year-End (11/25/14 - 12/31/14) Reports combined, discloses \$63,178.97 in transfers from the non-federal account for allocated activity for the reporting period. However, Line 21 (a)(ii) Column A discloses \$33,035.90 as the non-federal share for allocated activity for the reporting period. While the non-federal account is permitted to transfer funds to the federal account for allocated activity, transfers for allocated activity must be made within a 70-day time period: no more than 10 days before or 60 days after the payment to the vendor. (11 CFR §§106.6(e)(2) and 106.7(f)(2)) Please clarify the nature of the transfers-in from the non-federal account.

The Commission recommends that you immediately transfer back to the non-federal account, the total excessive amount which was received by your federal account outside the 70-day time period. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

2. On Schedule H5 supporting Line 18(b) of the Detailed Summary Page, Lines i), ii), iii) and iv) for the transfer-in from the "San Diego County Democratic Party (Sta" account do not add up to the \$35,613.85 transfer received on

SAN DIEGO COUNTY DEMOCRATIC PARTY (FED. ACCT.)

Page 2 of 3

11/30/2014. Please amend your report to correct this discrepancy. (11 CFR §300.36(b)(2)(ii))

**3.** Schedule L-A of your report discloses one or more Levin fund donations from a person(s) in excess of \$10,000 for the calendar year (see attached). Please be advised that a State, district or local party committee of a political party must not solicit or accept from any person (including any entity established, financed, maintained and controlled by such person) one or more donations of Levin funds aggregating more than \$10,000 in a calendar year. (11 CFR §300.31(d)). For purposes of determining compliance with 11 CFR §300.31(d), State, district, and local committees of the same political party shall not be considered affiliated.

If any apparently excessive donation in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. Transfers-out and refunds should be disclosed on Schedule L-B supporting Line 5 on Schedule L of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive donation(s), prompt action by your committee to transfer-out or refund the excessive amount will be taken into consideration.

**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. 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) 694-1169.

SAN DIEGO COUNTY DEMOCRATIC PARTY (FED. ACCT.)

Page 3 of 3

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Fortkiewicz". The signature is written in a cursive style with a prominent "K" and "F".

Kevin Fortkiewicz  
Senior Campaign Finance Analyst  
Reports Analysis Division

322

**Excessive, Prohibited, and Impermissible Contributions**  
**San Diego County Democratic Party (FED. ACCT.) (C00402826)**

**Excessive Contributions from Committees**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Report</b>
San Diego County Democratic Party (State Acct.)	12/31/14	\$29,391.12	2014 Year-End