



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Brian K. Bond, Treasurer
Gay and Lesbian Victory Fund
1705 DeSales Street, N.W., 5th Floor
Washington, DC 20036

MAY 01 2002

Identification Number: C00251835

Reference: Amended Mid-Year Report (1/1/01-6/30/01), received 8/30/01

Dear Mr. Bond:

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:

-Schedule A of your report (pertinent portion(s) attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

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. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

GAY AND LESBIAN VICTORY FUND
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Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

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

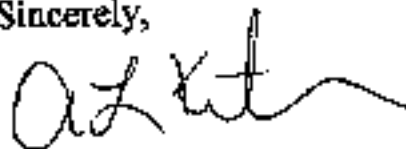
-Schedule A of your report discloses earmarked contributions. If the contributions passed through your committee's account, then a notation must be made which states this and each must be itemized on Schedules A and B, regardless of the amount. However, if the earmarked contributions were forwarded in the form of the contributor's check, then a notation must be made which states this and they should be disclosed as MEMO entries on Schedules A and B. For disclosure purposes, the name and mailing address for each contributor must be provided and where the contribution exceeds \$200, the individual's occupation and name of employer must also be itemized. 11 CFR §110.6(c)(1)(iv)

However, your report discloses MEMO Schedules A supporting Line 11(a)(i) of the Detailed Summary Page that indicate your committee has received \$12,765 in earmarked contributions for "Tammy Baldwin". Also, Schedule A indicates \$100 in apparent earmarked contributions for "Joel Wachs" and "Neil Guiliano" (*non-federal candidates*). However, your committee has not provided a corresponding MEMO Schedule B

supporting Line 23 or Schedule B supporting Line 29, respectively, of the Detailed Summary Page to itemize the actual disbursements to these candidates. Please amend your report to provide the omitted schedules.

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,



Antoinette Kitchen
Senior Reports Analyst
Reports Analysis Division

SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS

Use separate schedule(s)
or each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 99 / 598
(check only one)
☒ 11a ☐ 11b ☐ 11c ☐ 12
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
GAY AND LESBIAN VICTORY FUND

A. Full Name (Last, First, Middle Initial)
Michael Leo Denny-Earnmark W1-02

Mailing Address
165 West 83rd Street Apt 32

City **New York** State **NY** Zip Code **10024-5026**

FEC ID number of contributing federal political committee.

Name of Employer _____ Occupation _____

Receipt For: ☐ Primary ☐ General ☐ Other (specify) _____

Aggregate Year-to-Date **.00**

Date of Receipt
M M Y
06 26 2001

Amount of Each Receipt this Period
100.00

to Tammy Baldwin by Contributor Check
[MEMO ITEM]

Transaction ID: **SA11A1.4139**

B. Full Name (Last, First, Middle Initial)
Anne Dennyberry

Mailing Address
2 El Sereno Court

City **San Francisco** State **CA** Zip Code **94127-1816**

FEC ID number of contributing federal political committee.

Name of Employer **Vivance** Occupation **Executive Vice President**

Receipt For: ☐ Primary ☐ General ☐ Other (specify) _____

Aggregate Year-to-Date **10000.00**

Date of Receipt
M M Y
02 28 2001

Amount of Each Receipt this Period
10000.00

Transaction ID: **SA11A1.4410**

C. Full Name (Last, First, Middle Initial)
Anne Dennyberry-Earnmark W1-02

Mailing Address
2 El Sereno Court

City **San Francisco** State **CA** Zip Code **94127-1816**

FEC ID number of contributing federal political committee.

Name of Employer **Vivance** Occupation **Executive Vice President**

Receipt For: ☐ Primary ☐ General ☐ Other (specify) _____

Aggregate Year-to-Date **.00**

Date of Receipt
M M Y
06 26 2001

Amount of Each Receipt this Period
500.00

to Tammy Baldwin by Contributor Check
[MEMO ITEM]

Transaction ID: **SA11A1.5254**

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

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