



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 14, 2011

Alma Gonzalez, Treasurer
Democratic Executive Committee of Florida
214 South Bronough Street
Tallahassee, FL 32301

Response Due Date:
May 19, 2011

Identification Number: C00005561

Reference: Amended Year-End Report (11/23/10-12/31/10), received 3/10/11

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. **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 12 items:

1. The beginning cash balance of this report should equal the ending balance of your Amended 30 Day Post-General Report (10/14/10-11/22/10), received 3/10/11. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.
2. Schedule A of your report discloses one or more contributions totaling \$10,125.01 from "Switchboard Communications," which appears to be a corporation(s). 2 U.S.C. §441b(a) prohibits the receipt of contributions from corporations unless made from a separate segregated fund established by the corporation.

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

If you have received a prohibited contribution(s), you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited 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, you may retain the contribution in an account not

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used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. See 11 CFR §103.3(b)(1).

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action by your committee to transfer-out or refund the amount will be taken into consideration.

3. Line 11(a)(i) of the Detailed Summary Page of your report discloses a total of \$57,178.76 in Contributions From Individuals/Persons Other than Political Committees (Itemized). The sum of the entries itemized on Schedule A, however, indicates the total to be \$57,313.76. Please amend your report to clarify the discrepancy.

4. Your calculations for Line 11(a)(iii), Column B appear to be incorrect. FEC calculations disclose this amount(s) to be \$1,840,757.53. Please provide the corrected total(s) on the Detailed Summary Page.

5. 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.

6. Schedule B supporting Line 21(b) of your report discloses \$520.02 in activity identified as MEMO entries that do not appear to correspond with any itemized transaction(s). Please be advised, a memo entry is used to disclose additional information about an itemized transaction and the amount of a memo entry is not included in the total receipts or disbursements for the report. Please amend your report to provide clarifying information regarding this activity.

7. Schedule A of your Amended Year-End Report (11/23/10-12/31/10), received 3/10/11 discloses transfers totaling \$35,000 from "ASDC/Dollars For Democrats," which appears to be your committee's share of the gross

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contributions received through joint fundraising efforts. However, "ASDC/Dollars For Democrats" does not appear as a joint fundraising representative on your Statement of Organization. Please clarify this discrepancy.

In addition, 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)

8. Schedule A supporting Line 11(a)(i) of your report discloses transfers from apparent joint fundraising committees. In addition, your report includes memos on Schedule A supporting Line 12, for what appears to be your committee's share of the gross contributions received through these joint fundraising efforts. Please amend your report to clearly identify on the memo Schedule A, which joint fundraising committee each entry relates to.

9. Schedule A supporting Line 12 of your report discloses a receipt from "Klein for Congress Inc.," which requires further clarification. For example, if this activity represents a transfer of funds, please indicate "transfer" on Schedule A supporting Line 11(c) of your report. If this activity represents a reimbursement for services provided to this committee, please indicate this on Schedule A supporting Line 15 of your report. Please amend your report to clarify the type of activity this receipt(s) represents.

10. Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule B of your report to clarify the following description: "Fundraising Expense." For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

11. Schedule B of your report discloses reimbursements to individuals for "Lease/Rent." Please be advised that when itemizing reimbursements to individuals for goods or services, if the payment to the original vendor aggregates in excess of \$200 in a calendar year, a memo entry including the name and address of the original vendor, as well as the date, amount and

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purpose of the original purchase must be provided. Please amend your report to include the missing information and clearly identify on the Schedule B, which reimbursement each memo entry relates to. If itemization is not necessary, you must indicate so in an amendment to this report. 11 CFR §104.9, and Advisory Opinions 1992-1 and 1996-20, footnote 3

12. Schedule H4 of your report discloses a reimbursement(s) to an individual(s) 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 committee staff that make up the reimbursement have to be itemized as memo entries regardless of the amount. Each memo entry must include the complete name and address of the original vendor, as well as the date, amount and an adequate purpose. Please amend your report to include the missing information and clearly identify on the Schedule H4, which reimbursement each memo entry relates to. 11 CFR §§104.10 and 104.17, and Advisory Opinion 1996-20, footnote 3

13. Schedule H4 of your report discloses a payment(s) for "Per Diem." Please be advised that a political committee may maintain a petty cash fund out of which it may make expenditures not in excess of \$100 to any person per purchase or transaction. 11 CFR §102.11 However, if this expenditure(s) represents an apparent reimbursement(s) to an individual(s) for apparent travel and subsistence advances in which the total amount reimbursed exceeds \$500, there are additional reporting requirements. Please provide clarifying information regarding this activity and amend your report to include any missing information as noted below.

When the reimbursement amount to staff for travel and subsistence advances exceeds \$500, the payments by committee staff that make up the reimbursement have to be itemized as memo entries regardless of the amount. Each memo entry must include the complete name and address of the original vendor, as well as the date, amount and an adequate purpose. Schedule H4 should clearly identify which reimbursement each memo entry relates to. 11 CFR §§104.10 and 104.17, and Advisory Opinion 1996-20, footnote 3

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

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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) 694-1164.

Sincerely,



Nicole Miller

Campaign Finance Analyst
Reports Analysis Division

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