



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

March 10, 2011

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

Response Due Date:
April 14, 2011

Identification Number: C00005561

Reference: Amended 12 Day Pre-General_Report (10/1/10-10/13/10), received
12/10/10

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 4 items:

1. Schedule A of your report (see attached) discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

To the extent that your committee has received prohibited funds, you may have to make a refund. If within 30 days of receipt you (1) transferred the

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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 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. Should you choose to transfer-out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers-out and refunds should be disclosed on a 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 prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

2. Schedule A of your report discloses one contribution totaling \$2,500 from "Florida CUPAC - Corporate Account," which appears to be a corporation. 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 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).

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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. A review of the reports filed by your committee (see attached) indicates that your committee received one or more transfers from "I.B.E.W. Educational Committee" which has not been disclosed on their report(s) of receipts and disbursements. Please provide clarifying information regarding the source of the transfer(s) received by your committee.

4. Please provide a Schedule F to support the entry reported on Line 25 of the Detailed Summary Page. Any coordinated expenditure made by a national, state or designated party committee must be itemized on Schedule F regardless of the amount expended. 11 CFR §104.3(b)(3)(viii) and 2 U.S.C. §434(b)(5)(D)

- Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Contributions From Political Party Committees should be properly disclosed on a separate Schedule A, supporting Line 11(b) of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

- Your report disclosed certain category of financial activity that have been reflected on the wrong line of the Detailed Summary Page. Contributions From Other Political Committees should be properly disclosed on a separate Schedule A, supporting Line 11(c) of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

- Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Refund of Contributions To Other Political Committees should be properly disclosed on a separate Schedule B, supporting Line 28(c) of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

- Please clarify all expenditures made for "Food & Beverage," "Site Rental," and "Consulting/Fundraising," on Schedule B. If a portion or all

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of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedule B supporting Lines 23 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

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) 694-1164.

Sincerely,



Nicole Miller

Campaign Finance Analyst
Reports Analysis Division

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Receipt from an Unregistered Organization

| Contributor Name | Date | Amount |
|------------------|---------|---------|
| ATU-COPE | 10/1/10 | \$5,000 |

Receipt Not Disclosed on Donor Report

| Contributor Name | Date | Amount | Report |
|--------------------------------|---------|---------|----------------------|
| I.B.E.W. Educational Committee | 9/29/10 | \$5,000 | 2010 October Monthly |

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