



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 4, 2009

Katherine Moret, Treasurer
Democratic State Central Committee
of CA - Federal
1401 21st Street, Suite 200
Sacramento, CA 95811

**Response Due Date:
March 9, 2009**

Identification Number: C00105668

Reference: 12 Day Pre-General Report (10/1/08 – 10/15/08)

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 2 items:

1. 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 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

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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.

2. Your report discloses disbursements for "payment for registering voters" to several non-federal committees on Schedule H6. Please be advised that this type of activity constitutes a transfer of funds and is therefore not activity that can be paid with allocated (federal and Levin) monies. Your federal account may receive transfers from your Levin account in order to pay for the costs of certain Federal Election Activity that does not refer to a clearly identified candidate for Federal office. 11 CFR §§300.32 and 300.33 However, reimbursement from your committee's Levin account for transfers and contributions to other committees is not permissible.

Federally registered committees which received these funds will be required to either transfer the funds to a non-federal account or return the Levin portion to your committee's Levin account. 11 CFR §102.5 Unregistered committees in receipt of these funds may be required to register as political committees, because of the voter drive activity that they have apparently conducted.

Should you decide to engage in this type of activity in the future, note that all payments must be made from your federal account with no

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reimbursement from your Levin account. The Commission recommends that you immediately transfer the funds received by your federal account, as reimbursement for the Levin portion, back to your Levin account. Please inform the Commission of your corrective action immediately. Although the Commission may take further legal action regarding this apparent impermissible activity, your prompt action 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) 694-1157.

Sincerely,



Laura E. Sinram
Senior Campaign Finance Analyst
Reports Analysis Division

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