



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

July 18, 2011

LYNN GILBER, TREASURER
FRIENDS OF MIKE LEE, INC.
190 WEST 800 NORTH, SUITE 100
PROVO, UT 84601

Response Due Date

08/22/2011

IDENTIFICATION NUMBER: C00473827

REFERENCE: AMENDED OCTOBER QUARTERLY REPORT (07/01/2010 - 09/30/2010),
RECEIVED 10/25/2010

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. **An adequate response must be received at the Senate Public Records Office by the response date noted above. 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 5 item(s):

1. Your report contains incorrect Column B figures for Lines 6(a), 6(c), 7(a), 7(c), 11(a)(iii), 11(e), 16, 17 and 22 of the Summary and Detailed Summary Page information. When aggregating and reporting receipts and disbursements, candidate committees are required to disclose their activity on an election-cycle basis, from 11/3/04 to 11/2/10. Please amend your report to show election cycle-to-date figures for all aggregate amounts. (2 U.S.C. § 434(b))
2. The beginning cash balance of this report does not equal the ending balance of your Amended July Quarterly Report, received 12/2/10. Please correct this discrepancy and amend all subsequent reports(s) that may be affected by the correction. (2 U.S.C. § 434)(b)(7))
3. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in an election cycle. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (**initials are not acceptable**), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

The following employer and occupation entries appear on your report and are

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not considered acceptable: "N/A / N/A", "Self/Self", "Self-Employed/Owner", "Missing/Missing", "missing/political consultant", "missing/political consulting", "missing/attorney."

You must provide the missing information or clarify the information provided. 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)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the 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 request via mail, e-mail or telephone documented in writing. (11 CFR § 104.7(b)(2)) Follow-up requests should be done, if necessary. The requests 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 should 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 amend your report to provide the missing information and a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide for Congressional Committees and Candidates.

4. Schedule A of your report contains entries for contributions made by more than one person. For contributions made by more than one individual in a

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single written instrument, you must report the amount attributed to each contributor along with all the required contributor information (full name, address, occupation, and employer) in a separate entry for each person. See 11 CFR §§ 100.12, 104.8(a), (b) and (d)(1) and the Campaign Guide for Congressional Candidates for additional clarification.

5. Schedule B of your report discloses disbursements to Gilbert Enterprises for "Salary". Please be advised that when itemizing disbursements to companies for payroll services, if the payment to the salary recipient aggregates in excess of \$200 in an election cycle, a memo entry including the name and address of the individual receiving the salary, as well as the date, amount, and purpose of the original disbursement must be provided. If itemization is not necessary, you must indicate so in an amendment to this report. Please correct your report to include the missing information. (11 CFR § 104.9)

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.**

A written response or an amendment to your original report(s) correcting the above problems should be filed with the Senate Public Records Office. Please contact the Senate Public Records Office at (202) 224-0322 for instructions on how and where to file an amendment. 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) 694-1161.

Sincerely,



Christopher Whyrick
Senior Campaign Finance Analyst
Reports Analysis Division