



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

George Platt, Treasurer  
Democratic Executive Committee  
of Florida  
517 N. Calhoun Street, Box 1758  
Tallahassee, FL 32302

APR 11 2001

Identification Number: C00005561

Reference: October Quarterly Report (7/1/00-9/30/00)

Dear Mr. Platt:

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:

-Line 21(b) of the Detailed Summary Page of your report discloses a total of \$0 in other federal operating expenditures. The sum of the entries itemized on Schedule B, however, indicates the total to be \$8,976.35. Please note, transfers to your non-federal account for its share of offsets to operating expenses should be itemized as positive entries. Please amend your report to clarify this discrepancy.

-The totals listed on Lines 6(c), 7, 11(a)(i), 11(a)(ii), 11(c), 12, 15, 17, 18, 21(a)(i), 21(a)(ii), 21(b), and 28(a), Column B of the Summary and Detailed Summary Page(s) appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.

-The beginning cash balance of this report should equal the ending balance of your Amended July Quarterly Report, dated 11/10/00. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.

DEMOCRATIC EXECUTIVE COMMITTEE OF FLORIDA

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-Line 6(a) of the Summary Page represents the total cash-on-hand as of January 1, 2000. This figure should be the same on all the reports covering the calendar year. Please amend your report to clarify the change made in Line 6(a).

-Schedule A of your report discloses receipts totaling \$62,500 from Florida Women Vote 2000, which is a joint fundraising committee affiliated with your committee. The sum of the entries itemized on the memo Schedule A, however, total \$43,610.50.

Please be advised a memo Schedule A must be provided to itemize your committee's share of the gross contributions received through the joint fundraiser. 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 the unitemized contributions received. In addition, the memo schedule should itemize your committee's share of all contributions from political committees, regardless of the amount. 11 CFR §102.17(c)(8)(i)(B). Please clarify this discrepancy.

-Your report discloses Memo Schedule A's totaling \$60,914.32 from the State Party Democratic Victory Fund. However, there are no corresponding transfers-in from this committee disclosed on Schedule A supporting Line 12 of the Detailed Summary Page. Please clarify this apparent discrepancy.

-Schedules H2 and H4 disclose 100% federal activity. Please be advised that by definition, this activity does not qualify as a shared expense to be allocated between your federal and non-federal accounts. This activity should be itemized on a Schedule B for Line 21(b) of the Detailed Summary Page. Any reimbursement from your committee's non-federal account for any portion of this activity is not permissible and must be returned. Please amend your report to clarify this discrepancy.

-Schedule H4 of your report discloses a disbursement(s) to Escambia County DEC. Please be advised that contributions to federal and non-federal committees do not qualify as shared expenses to be allocated between your federal and non-federal accounts. Contributions to federal committees should be disclosed on a Schedule B supporting Line 23 of the Detailed Summary Page and contributions to non-federal committees on a separate Schedule B supporting Line 29. Any reimbursement from your committee's non-federal account for any portion of this contribution(s) is not permissible. 11 CFR §102.5(a)(1)(i)

The Commission recommends that you immediately transfer the funds received by your federal account, as reimbursement for the non-federal portion, back to your non-federal account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

-Line 18 of the Detailed Summary Page of your report discloses a total of \$5,534,700 in transfers from nonfederal account for joint activity. The sum of the entries itemized on Schedule H3, however, indicates the total to be \$5,534,990. Please amend your report to clarify the discrepancy.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 of your report to clarify the following description(s): consulting fees and professional fees. For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Please clarify all expenditures for "voter registration" and "get-out-the-vote". In addition, if any of the voter registration or get-out-the-vote activities referenced House or Senate candidates, they should be allocated accordingly, unless merely incidental to the overall activity. If a portion or all of these expenditures were made on behalf of federal candidates, they should be reported on Schedules B, E or F for Lines 23, 24 or 25 of the Detailed Summary Page, as appropriate.

-Schedule A supporting Line 11(b) discloses a transfer(s)-in from the Democratic Congressional Campaign Committee, the Democratic National Committee, and the Democratic Senatorial Campaign Committee. Schedule H4 supporting Line 21(a) reflects payments for exempt activities. Please be advised that a state or local party committee may pay for campaign materials (such as bumper stickers) that are distributed by volunteers in connection with activity on behalf of the party's nominees in a general election. Payments for this type of activity are exempt from the definition of a contribution or expenditure if certain conditions are met. The conditions are that no public advertising may be used, including distribution by direct mail (mailings by a commercial vendor or from commercial lists); all funds used for the activity must be permitted under the Act; none of the funds used may have been designated for a particular candidate; and finally, payments for the activity may not be made from transfers-in from the national committee to specifically fund the activity. For further guidance, please refer to 11 CFR §100.7(b)(15) and (17) and to the Campaign Guide for Party Committees.

Please clarify the nature of the transfer(s)-in and subsequent payments for the aforementioned disbursement(s). If the activity disclosed on your report does not meet the definition of "exempt" activity as described above and if any portion of the expenditures were made on behalf of specifically identified candidates, that amount must be disclosed on Schedule B or F supporting Line 23 or 25 of the Detailed Summary Page as appropriate

-You have made disbursements for Direct Mail and Media which you have characterized as exempt activities. In order for an activity to be classified as exempt, it must meet the following conditions: (1) For slate cards and sample ballots: it names at least three candidates running for election to any public office, it is not distributed through public political advertising (including broadcast media, newspapers, magazines, and billboards), the content is limited to the identification of each candidate, the office or position currently held, the office sought and party affiliation, and the costs allocable to federal candidates are paid with permissible funds; (2) For campaign materials: the activity is conducted on behalf of the party's nominees in the general election, the materials are distributed by volunteers-not through public political advertising, the party committee does not use materials purchased by the national party committee or money transferred from the national committee to purchase materials, the party committee does not use funds designated for a particular federal candidate, a payment from a non-federal campaign to help pay for the materials does not exceed its allocated share of the expenses, and the costs allocable to federal candidates are paid with permissible funds; (3) For voter drives: the activity is on behalf of the party's Presidential and Vice Presidential nominees, the activity does not involve the use of public political advertising such as television, radio, newspapers, magazines, billboards or direct mail, phone banks are operated by volunteers (although paid professionals may design the system, develop calling instructions and train supervisors), the party committee does not use funds transferred by the national party committee for voter drive activities, the party committee does not use funds designated for a particular federal candidate, and the cost allocable to federal candidates are paid with permissible funds.

If the activity disclosed on your report does not meet the definition of "exempt" activity as described above, and if any portion of the expenditures were made on behalf of specifically identified candidates, this amount must be disclosed on Schedule B or F supporting Line 23 or 25 of the Detailed Summary Page as appropriate. Please provide the Commission with a more detailed explanation of these activities.

-Please clarify all expenditures made for Media on Schedule(s) H4. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedules B, E or F supporting Lines 23, 24 or 25 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

-Schedule H2 indicates the allocation ratios for Absentee Ballot Initiative #1 and Absentee Ballot Initiative #2 were revised during the reporting period. Please provide the date of the fundraising programs or events. In the case of a telemarketing or direct mail campaign, the "date" is the last day of the telemarketing campaign, or the day on which the final direct mail solicitations are mailed. 11 CFR §106.5(f)(2) In the event that an excessive non-federal transfer was received, the excessive amount should be transferred back to your non-federal account.

-On Schedule H3 supporting Line 18 of the Detailed Summary Page, you have not identified the event(s) for which transfers were received. Please amend your report to include this missing information. 11 CFR §104.10

-Schedule H2 of your report indicates that your committee participated in Voter Registration (A014), Administrative Expense (A009), DNC List Test (A011), JJ98 (A006), Legislative Appreciation Party 1999 (A018), Convention (A019), JJ99 (A020), JJ2000 (A021), and LAP 2000 (A022) activities or events during the reporting period. However, there are no corresponding disbursements reflected on your Schedule H4. Note that you need not include activities on Schedule H2 if there are no corresponding payments made for the activity during the reporting period. If any disbursements were incorrectly reported, you should file an amended Schedule H4 with the correct unique identifying code or title, or provide clarifying information regarding the activities on Schedule H2.

-On Schedule H2, you disclose the ratio for A010 Issue Advocacy, A012 Absentee Ballot Initiative #1 and A015 Absentee Ballot Initiative #2 to be revised. However, on your previous report(s), the same unique codes A010, A012 and A015 appear to be different events. Please amend your report to clarify this discrepancy.

-The coordinated expenditure schedule (Schedule F) should disclose the following information: identification of the authorizing committee, the payee's name and address, the purpose of the expenditure as well as identification of the candidate supported, the date and amount of the

payment and the aggregate general election expenditure total for each candidate supported. Please amend Schedule F by providing the aggregate general election expenditure total for each candidate supported. 2 U.S.C. §441a(d)

-Schedule A of your report (pertinent portion(s) attached) discloses an apparent contribution(s) from 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. Limited liability companies (LLC's) that choose to be treated as corporations under the Internal Revenue Service rules, or have shares that are traded publicly, are considered corporations. In the event that the LLC is treated as a partnership under IRS rules, the aforementioned contributions are to be attributed to each member in direct proportion to his or her share of the LLC's profit or by agreement of its members. Each member who has contributed in excess of \$200 since January 1, 1999 should be identified by name, address, amount of contribution, name of employer, occupation and aggregate total on Schedule A. 11 CFR §110.1(g)(1) through (5).

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If you have received a corporate contribution(s), you must transfer-out the impermissible funds to an account not used to influence federal elections or refund the full amount to the donor(s) in accordance with 11 CFR §103.3(b). In the best interest of your committee, all transfers-out and refunds should be made within thirty days of the treasurer's receipt of the impermissible funds. In order to protect the donor's interests, the Commission recommends that you inform the contributor(s) in writing to provide the donor(s) with the option of receiving a refund or granting written authorization for a transfer to another account.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the 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.

-Your report disclosed a category of financial activity that has been

reflected on the wrong line of the Detailed Summary Page. Transfers from affiliated/other party committees should be properly disclosed on a separate Schedule A, supporting Line 12 of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

-Be advised that you have used an incorrect committee identification number on the Summary Page of your report(s). Please file all future reports and correspondence using your correct identification number, C00005561, to avoid potential errors in entering your reports onto the public record.

-You have previously indicated that your committee has been using "best efforts" to obtain the occupation and name of employer for each contributor. However, an increasing number of entries lack this information. Please amend your report by supplying the omitted information or providing an explanation of your efforts in this regard. 11 CFR §§104.3(a)(4)(i) and 104.7

-Please amend Schedule A supporting Line 11(c) by providing the full name for each contribution received from a political committee. 11 CFR §104.3(a)(4)(ii) and (iii)(B)

A written 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. 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,



Alex Crawford-Batt  
Reports Analyst  
Reports Analysis Division

**SCHEDULE A**

**ITEMIZED RECEIPTS**

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

**Contributions From Individuals (Itemized)**

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)**  
Democratic Executive Committee of Florida

Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Dorothy R. Abbott 4820 North Highlands Ave. Tampa, FL 33603	SELF-EMPLOYED Occupation: CONSULTANT	9/8/00	\$500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date: \$ 0.00 500.00		
C. Wayne Alford 1 Independent Drive, Ste 2400 Jacksonville, FL 32262-8008	Afford & Kalll, P.A. Occupation: Lawyer	7/25/00	\$1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date: \$ 0.00 1000.00		
Amesco North Borward LLC 3601 W. Commercial Blvd., Suite 4 & 5 Ft. Lauderdale, FL 33309	Amesco North Borward LLC Occupation: Medical	8/31/00	\$1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date: \$ 0.00 1000.00		
Hank Asher 100 E. Sample Road Pompano Beach, FL 33064-0000	Data-Base Tech Occupation: President	8/28/00	\$8,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date: \$ 0.00 5000.00		
Jan D. Atlas 200 East Las Olas Blvd., Suite 1900 Ft. Lauderdale, FL 33301-2248	INFORMATION REQUESTED Occupation: INFORMATION REQUESTED	9/8/00	\$500.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date: \$ 0.00 500.00		
Kerrie L. Barsh 770 Claughton Island Drive, Ap. T. 1902 Miami, FL 33131-0000	GREENBERG & TRAURIG Occupation: ATTORNEY	9/20/00	\$250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date: \$ 0.00 250.00		
Kenneth B. Bierman 1251 S.W. 68TH AVENUE PLANTATION, FL 33317	INFORMATION REQUESTED Occupation: INFORMATION REQUESTED	9/8/00	\$250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date: \$ 0.00 250.00		
<b>SUBTOTAL of Receipts This Page (optional)</b>			\$ 8,500.00
<b>TOTAL This Period (last page this line number only)</b>			

