

**OUTBACK STEAKHOUSE
POLITICAL ACTION COMMITTEE**

2202 N. Westshore Blvd • 5th Floor • Tampa, FL 33607
Phone (813) 282-1225 • Fax (813) 282-1209

RECEIVED
FEC MAIL ROOM

2001 APR 10 A 9 38

April 3, 2001

Mr. Dominick Ciaraldi
Reports Analyst
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

Via Certified U.S. Mail

Identification Number: C00253153

RE: October Monthly Report
12 Day Pre-General Report
30 Day Post-General Report

Dear Dominick,

I have reviewed the letters sent by Mr. John Gibson in which he addresses specific concerns regarding re-designation of disbursements and identification of our PAC contributors. I have made every attempt to address these concerns thoroughly in order to provide an adequate response. This letter shall serve as a response to all three of Mr. Gibson's March 15, 2001 letters. I welcome any comments from you, or Mr. Gibson, which would help to resolve our situation. Accompanying this letter please find:

- 1) Correspondence addressed to the campaigns of:
 - a) Mr. Sherwood;
 - b) Mr. Allen;
 - c) Mr. Rogan; and
 - d) Mr. Bilbray.
- 2) A copy of the "Stop Payment Request Form" used with regard to Mr. Sherwood;
- 3) A copy of check #2545 to Bilbray for Congress; and
- 4) A copy of check #2546 to the "Rogan Campaign Committee".

Amended October Monthly Report

The disbursement of funds for Candidates Don Sherwood and George Allen, made July 21, 1999, were intended as contributions to the election primary campaign. The \$5,000 contributions were made well before the primary had ended, but a reporting error incorrectly disclosed the contribution as one to the general election campaign. We attempted to remedy the reporting error by filing a "re-designation." Unfortunately, the span of time in which it took to discover the error caused our re-designation to occur after the primary had ended.

We have contacted the offices of Mr. Sherwood in an attempt to retrieve the funds. After an extensive review of our records and the information provided by Mr. Sherwood's finance aide, Nathan Wurtzel, it appears check # 2543 for \$5,000 was never "cashed." Therefore, we believe the issue regarding Mr. Sherwood and our contribution is now moot. We have stopped payment of the check with our bank and have advised Mr. Sherwood that we have done so. In addition, we will amend our contribution amount to Mr. Sherwood on our next FEC filing.

We have also contacted Mr. Allen's office in order to retrieve the funds. Mr. Allen's aide, Mike Carroll, confirmed they had in fact received the check for \$5,000 and allocated it to their election primary campaign. Mr. Allen's election primary campaign has no outstanding debt. Therefore we have asked Mr. Allen to return the contribution so as to remedy our reporting error.

30 Day Post-General Report

There was an issue regarding the possible non-disclosure of contributors' identities, specifically their occupations. A software error caused the occupation of contributors to read the location in which they conduct their business, e.g., Joe Smith occupation: Phoenix, Arizona. Lisa Johnston has personally entered, by hand, all job titles and descriptions which we were lacking. The "missing" occupations were obtained from separate payroll accounts which reflect the occupation of each manager or owner. We believe the problem has been addressed and solved, however, if your records indicate otherwise please contact us immediately.

As was the mistake with Mr. Sherwood and Mr. Allen, so was the mistake for Mr. Bilbray and Mr. Rogan. The disbursement of funds for Candidates Brian Bilbray and James Rogan, made October 7, 1999 and July 13, 1999, respectively were intended as contributions to the election primary campaign. The enclosed copies of the checks reveal there was not a specific designation to the general election campaign, but rather, the checks were simply marked "contribution." The time period in which they were distributed would indicate the checks to be for the election primary campaign. However, due to a reporting error, these contributions were incorrectly disclosed as being made to the general election campaign. We attempted to remedy the reporting

error by filing a "re-designation." Unfortunately, the span of time in which it took to discover the error caused our re-designation to occur after the primary had ended.

We have been in contact with Ms. Lynn Green of Mr. Rogan's campaign office. Ms. Green's records reflect our contribution as being allocated to the election primary campaign and not to the general. Nonetheless, we have asked that Mr. Rogan return the \$3,000 which we were unsuccessful in re-designating.

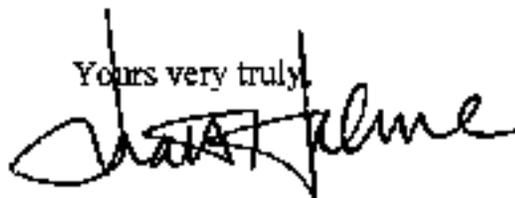
We have also been in contact with Ms. Yasmine Geissler of Mr. Bilbray's campaign office. Ms. Geissler's records also reflect our contribution as being allocated to the election primary campaign and not to the general election. We have asked that Mr. Bilbray return the amount of \$2,500 which we were unsuccessful in re-designating.

12 Day Pre-General Report

As was stated above, we have remedied the same issue regarding the possible non-disclosure of contributors' identities, specifically their occupations. A software error caused the occupation of contributors to read the location in which they conduct their business, e.g., Joe Smith occupation: Phoenix, Arizona. Lisa Johnston has personally entered, by hand, all job titles and descriptions which we were lacking. The "missing" occupations were obtained from separate payroll accounts which reflect the occupation of each manager or owner. We believe the problem has been addressed and solved, however, if your records indicate otherwise please contact us immediately.

Please do not hesitate to contact me with regard to the above matters, or anything else with which I may be of assistance.

Yours very truly,



Matthew P. Halme
Government Relations Manager

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2202 N. Westshore Blvd • 5th Floor • Tampa, FL 33607
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April 3, 2001

Friends of Don Sherwood
81 Warren Street
Tumkhanock, Pennsylvania 18657

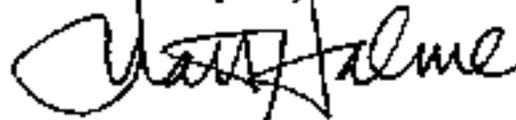
Re: 7/21/99 Campaign Contribution

Dear Mr. Sherwood,

I am writing to inform you of an FEC reporting error which occurred with regard to your 2000 campaign. On July 21, 1999 we contributed a check to your "Don Sherwood for Congress" campaign in the amount of \$5,000. This check was originally marked "contribution" and intended for your primary election campaign. Due to an FEC reporting error, these funds were designated to your general election campaign. As you are aware, we also made a separate contribution of \$5,000 to your general election on September 12, 2000. We tried to "re-designate" the July 21, 1999 contribution, however, we were notified of the error after the primary election had ended and unable re-designate timely.

According to the FEC we have contributed a total of \$10,000 to your 2000 general election campaign and must remedy this immediately. I have spoken with Nathan Wurtzel in your finance office and his records reflect your office never received the July 21, 1999 check. Our records indicate the check was never cashed and we have since placed a stop payment on the check. Because you were never in receipt of the funds, there has been no violation and our issue with the FEC regarding our campaign contribution to you is now moot. We have been strong supporters of your efforts in the past and look forward to supporting you in the future. Please do not hesitate to contact me with any questions.

Yours very truly



Matthew P. Halme
Government Relations Manager

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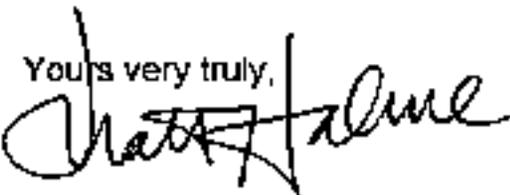
Friends of George Allen
Post Office Box 573
Richmond, Virginia 23218

Re: 7/21/99 Campaign Contribution

Dear Mr. Allen,

I am writing to inform you of an FEC reporting error which occurred with regard to your 2000 campaign. On July 7, 1999 we contributed a check to your "Friends of George Allen" campaign in the amount of \$5,000. This check was originally marked "contribution" and intended for your primary election campaign. Due to an FEC reporting error, these funds were designated to your general election campaign. As you are aware, we also made a separate contribution of \$5,000 to your general election on September 21, 2000. We tried to "re-designate" the July 7, 1999 contribution, however, we were notified of the error after the primary election had ended and unable re-designate timely.

According to the FEC we have contributed a total of \$10,000 to your 2000 general election campaign and must remedy this immediately. It would be acceptable to apply the July 7, 1999 check for \$5,000 to your 2000 campaign debt, however, your records indicate you have no campaign debt. With regret we must request the return of the July 7, 1999 contribution for \$5,000 in order to satisfy the rules set forth by the FEC. Please do not interpret this in any way as withdrawing our support of your efforts. We have been strong supporters of your efforts in the past and look forward to supporting you in the future. Please do not hesitate to contact me with any questions.

Yours very truly,


Matthew P. Halme
Government Relations Manager

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April 3, 2001

Rogan for Congress
C/o Ms. Lynn Green
7185 Navaho Road, Suite L
San Diego, California 92119

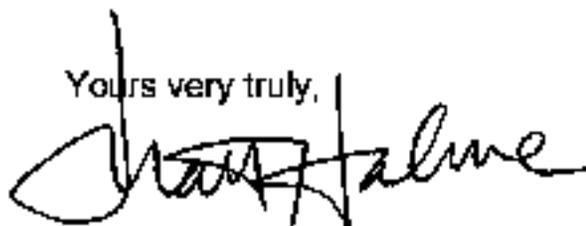
Re: 10/13/99 Campaign Contribution

Dear Mr. Rogan,

I am writing to inform you of an FEC reporting error which occurred with regard to your 2000 campaign. On October 13, 1999 we contributed a check to your "Rogan for Congress" campaign in the amount of \$3,000. This check was originally marked "contribution" and intended for your primary election campaign. Due to an FEC reporting error, these funds were designated to your general election campaign. As you are aware, we also made a separate contribution of \$5,000 to your general election on May 26, 2000. We tried to "re-designate" the October 13, 1999 contribution, however, we were notified of the error after the primary election had ended and unable re-designate timely.

According to the FEC we have contributed a total of \$8,000 to your 2000 general election campaign and must remedy this immediately. It would be acceptable to apply the October 13, 1999 check for \$3,000 to your 2000 campaign debt, however, your records indicate you have no campaign debt. With regret we must request the return of the October 13, 1999 contribution for \$3,000 in order to satisfy the rules set forth by the FEC. Please do not interpret this in any way as withdrawing our support of your efforts. We have been strong supporters of your efforts in the past and look forward to supporting you in the future. Please do not hesitate to contact me with any questions.

Yours very truly,



Matthew P. Halme
Government Relations Manager

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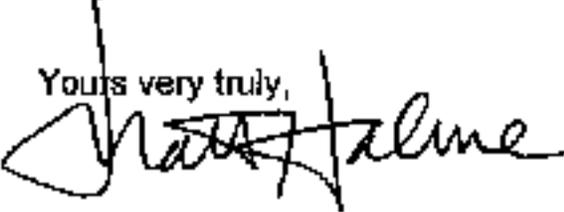
Bilbray for Congress
C/o Ms. Yasmine Geissler
970 Seacoast Drive, Number 7
Imperial Beach, California 91932

Re: 10/7/98 Campaign Contribution

Dear Mr. Bilbray,

I am writing to inform you of an FEC reporting error which occurred with regard to your 2000 campaign. On October 7, 1999 we contributed a check to your "Bilbray for Congress" campaign in the amount of \$2,500. This check was originally marked "contribution" and intended for your primary election campaign. Due to an FEC reporting error, these funds were designated to your general election campaign. As you are aware, we also made a separate contribution of \$5,000 to your general election on May 26, 2000. We tried to "re-designate" the October 7, 1999 contribution, however, we were notified of the error after the primary election had ended and unable re-designate timely.

According to the FEC we have contributed a total of \$7,500 to your 2000 general election campaign and must remedy this immediately. It would be acceptable to apply the October 7, 1999 check for \$2,500 to your 2000 campaign debt, however, your records indicate you have no campaign debt. With regret we must request the return of the October 7, 1999 contribution for \$2,500 in order to satisfy the rules set forth by the FEC. Please do not interpret this in any way as withdrawing our support of your efforts. We have been strong supporters of your efforts in the past and look forward to supporting you in the future. Please do not hesitate to contact me with any questions.

Yours very truly,


Matthew P. Halme
Government Relations Manager

CONFIRMATION

OUTBACK STEAKHOUSE-PAC

Federal ID# ~~59-2048217~~ 59-3061413

Stop Payment Request Form

Today's Date: 3/30/01

Account Number: 0014 0694 1761

<u>Check Number</u>	<u>Check Date</u>	<u>Amount</u>	<u>Payee</u>	<u>Reason</u>
2534	7/21/99	5,000. ⁰⁰	Don Sherwood for George	LOST/never cashed

Location Number(s): 0000

Requested By: ~~Don~~ Matt Halme

Authorized By: [Signature]

IMPORTANT:

CC: Bank Reconciliation contact

If requesting more than one stop payment, please fax this form to:

ATTN: Anne Vice
Bank of America
Phone: 1-888-841-8159 Ext. 20592
Fax: 1-888-841-8160

OUTBACK STEAKHOUSE, INC.
POLITICAL ACTION COMMITTEE
550 N. REO STREET, STE. 204
TAMPA, FL 33609

2545

QUALIFIED AS MULTI-CANDIDATE COMMITTEE ON 8/30/92

OCT 7 1999

83-488/83-18

PAY TO THE ORDER OF

BILBRAY FOR CONGRESS

\$ 2,500.00

TWO THOUSAND FIVE HUNDRED & 00/100

120053232 0078 0067 44 10 16 99 DOLLARS



940-018
4838 West Cypress Street
Tampa, Florida 33607

FDR

CONTRIBUTION

⑈002545⑈ ⑆063104697⑆

140694175⑈

⑈0000250000⑈

063000490
120053232
120053232
120053232

10-18-99
0078 0067 44-10-16-99

101399 41618347

16/18/99 #5169277 E7192 41 P81 79-71

0940417257

PAY TO THE ORDER OF
UNION BANK
DEL. MAP
P 12/10/99 4
PER DEPOSIT ONLY
RELENT BRIAN BILBRAY
FOR CONGRESS
02/01/1999

Federal Election Commission

**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
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<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> Received from the House office of Records and Registration	Date of Receipt
<input type="checkbox"/> Received from the Senate Office of Public Records	Date of Receipt
<input type="checkbox"/> Other (Specify):	Postmarked and/or Date of Receipt
<input type="checkbox"/> Electronic Filing	
 <i>JMN</i> PREPARER	 4-10-01 DATE PREPARED