



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

RQ-3
April 14, 1994

Dennis Rivera, Treasurer
Hispanic PAC USA Inc.
310 West 43rd St., 7th Floor
New York, NY 10036

Identification Number: C00250217

Reference: Amended April Quarterly (4/1/94-6/30/94), dated
3/7/94, Year End (9/30/93-12/31/93) and October
Monthly (7/1/93-9/30/93) Reports

Dear Mr. Rivera:

This letter is to inform you that as of April 13, 1994, the Commission has not received your response to our request for additional information, dated March 23, 1994. That notice requested information essential to full public disclosure of your federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Debbie Manzano on our toll-free number (800) 424-9530 or our local number (202) 219-3580.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

BQ-2

MAR 23 1994

Dennis Rivera, Treasurer
Hispanic PAC USA Inc.
310 West 43rd St., 7th Floor
New York, NY 10036

Identification Number: C00250217

Reference: October Quarterly Report (7/1/93-9/30/93)

Dear Mr. Rivera:

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:

-The identification of each contributor, including the person's occupation and name of employer, must be provided if the person has contributed in excess of \$200 in the aggregate during the calendar year. Please amend Schedule A supporting Line 11(a)(i) for each entry lacking a contributor's occupation and name of employer.

Note: If your committee has made attempts, either by a written request or by an oral request documented in writing to obtain this information from each contributor, your committee may have exercised "best efforts." Under revised 11 CFR 104.7(b), such effort shall consist of an initial clear and conspicuous request for the name, mailing address, occupation, and name of employer of each individual who has contributed over \$200 in the calendar year which informs the contributor that the reporting of such information is required by law. If necessary, your committee must make a written follow-up request or an oral follow-up request documented in writing, within thirty days with no additional solicitation. Subsequently, the committee should report any changes provided by the contributor or any additional information which is in the committee's records. If you believe that your committee satisfies the "best efforts" provision, you should provide a copy of your solicitation or an explanation of the method(s) used to obtain contribution information. Clarification regarding "best efforts" should be disclosed during each two year election cycle beginning with the first report filed in the non-election year. 11 CFR §104.3(a)(4)(i)

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-On Schedule A supporting Line 11(a)(i) of the Detailed Summary Page, your report disclosed contributions from individuals that omit the Dates of Receipt and Aggregate Year-To-Date Totals. Please amend your report by supplying the information. 11 CFR §104.3(a)(4)(i)

-Please provide the total for Line 11(a)(i), Column B of the Detailed Summary Page.

-Line 1B of the Detailed Summary Page of your report discloses a total of \$0 in Transfers from Non-Federal Account for Joint Activity. The sum of the entries itemized on Schedule H3, however, indicates the total to be \$3,158.26. Please amend your report to clarify the discrepancy.

-Your committee reports disbursements on Schedule B and Schedule H4 which appear to be identical. Please note that any activity which is financed entirely by the federal account should be reported on Schedule B supporting Line 21(b), not Schedule H4 supporting Line 21(a)(i). Likewise, any allocable expenses which are paid jointly should only be disclosed on Schedule H4 supporting Line 21(a)(i), not Schedule B supporting Line 21(b). Duplication in reporting disbursements may cause inflated disbursement totals. Please amend your report to clarify your disbursements. 11 CFR §106.5

-Schedule H3 discloses a transfer in from the non-federal account totalling \$533.26 for Administrative/Voter Drive Activity. However, Schedule H4 discloses no activity to support this transfer. Please clarify this discrepancy.

-Your report discloses a transfer-in from your non-federal account totalling \$3,158.26 on Schedule H3. However, this amount includes the federal portion of allocable activity disclosed on Schedule H4 for fundraising events. Please be advised that the transfer-in of funds from a non-federal account for activity other than the non-federal share of allocable activity is prohibited by 11 CFR 102.5 (a)(1)(i).

The Commission recommends that you immediately transfer the prohibited amount received by your federal account 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.

-For future reporting, please be advised that only contributions to federal candidates and political committees should be itemized on a separate Schedule B

supporting Line 23 of the Detailed Summary Page. Contributions to non-federal candidates and committees should be itemized on Schedule B supporting Line 29.

-NOTE: For future filings, please note that your committee need only file the pages on which you have itemized activity. Schedules with no activity may be omitted.

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. My local number is (202) 219-3580.

Sincerely,

Debbie Manzano

Debbie Manzano
Reports Analyst
Reports Analysis Division

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