



## FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 23, 2002

Brian K. Bond, Treasurer  
Gay and Lesbian Victory Fund  
1705 DeSales Street, NW, 5<sup>th</sup> Floor  
Washington, DC 20036

Identification Number: C00251835

Reference: Amended Mid-Year Report (1/1/01-6/30/01), received 8/30/01

Dear Mr. Bond:

This letter is to inform you that as of May 22, 2002, the Commission has not received your response to our request for additional information, dated May 1, 2002. This notice requests information essential to full public disclosure of your federal election campaign finances. To ensure compliance with the provisions of the Federal Election Campaign Act (the Act), please respond to this request (copy enclosed).

An adequate response must be received at the Commission by June 12, 2002. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. 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.

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, please contact Antoinette Kitchen on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or our local number (202) 694-1130.

Sincerely,

A handwritten signature in dark ink, appearing to read "John D. Gibson".

John D. Gibson  
Assistant Staff Director  
Reports Analysis Division

Enclosure



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

Brian K. Bond, Treasurer  
Gay and Lesbian Victory Fund  
1705 DeSales Street, N.W., 5<sup>th</sup> Floor  
Washington, DC 20036

MAY 01 2002

Identification Number: C00251835

Reference: Amended Mid-Year Report (1/1/01-6/30/01), received 8/30/01

Dear Mr. Bond:

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:

-Schedule A of your report (pertinent portion(s) attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

GAY AND LESBIAN VICTORY FUND  
PAGE 2

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

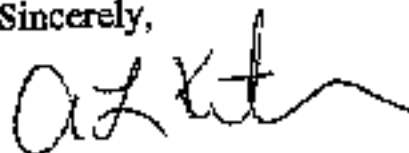
-Schedule A of your report discloses earmarked contributions. If the contributions passed through your committee's account, then a notation must be made which states this and each must be itemized on Schedules A and B, regardless of the amount. However, if the earmarked contributions were forwarded in the form of the contributor's check, then a notation must be made which states this and they should be disclosed as MEMO entries on Schedules A and B. For disclosure purposes, the name and mailing address for each contributor must be provided and where the contribution exceeds \$200, the individual's occupation and name of employer must also be itemized. 11 CFR §110.6(c)(1)(iv)

However, your report discloses MEMO Schedules A supporting Line 11(a)(i) of the Detailed Summary Page that indicate your committee has received \$12,765 in earmarked contributions for "Tammy Baldwin". Also, Schedule A indicates \$100 in apparent earmarked contributions for "Joel Wachs" and "Neil Guiliano" (*non-federal candidates*). However, your committee has not provided a corresponding MEMO Schedule B

supporting Line 23 or Schedule B supporting Line 29, respectively, of the Detailed Summary Page to itemize the actual disbursements to these candidates. Please amend your report to provide the omitted schedules.

A 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. Electronic filers must file amendments (to include statements, designation 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 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,

A handwritten signature in cursive script, appearing to read 'AKt', with a long horizontal flourish extending to the right.

Antoinette Kitchen  
Senior Reports Analyst  
Reports Analysis Division

# SCHEDULE A (FEC Form 3X) ITEMIZED RECEIPTS

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

FOR LINE NUMBER: PAGE 93 / 566

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

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)

GAY AND LESBIAN VICTORY FUND

A. Full Name (Last, First, Middle Initial)  
Michael Leo Darneny-Earnest WI-02

Mailing Address

165 West 83rd Street Apt 32

City

New York

State

NY

Zip Code

10024-5025

FEC ID number of contributing  
federal political committee.

Name of Employer

Occupation

Receipt For:

☐ Primary

☐ General

☐ Other (specify) ▼

Aggregate Year-to-Date ▼

.00

Date of Receipt

06 / 28 / 2001

Amount of Each Receipt this Period

100.00

to Tammy Baldwin by Contr-  
ibutor Check  
(MEMO ITEM)

Transaction ID: SA11A1.39

B. Full Name (Last, First, Middle Initial)  
Anne Darneny

Mailing Address

2 El Sereno Court

City

San Francisco

State

CA

Zip Code

94127-1818

FEC ID number of contributing  
federal political committee.

Name of Employer  
Vivance

Occupation

Executive Vice President

Receipt For:

☐ Primary

☐ General

☐ Other (specify) ▼

Aggregate Year-to-Date ▼

10000.00

Date of Receipt

02 / 28 / 2001

Amount of Each Receipt this Period

10000.00

Transaction ID: SA11A1.4410

C. Full Name (Last, First, Middle Initial)  
Anne Darneny-Earnest WI-02

Mailing Address

2 El Sereno Court

City

San Francisco

State

CA

Zip Code

94127-1818

FEC ID number of contributing  
federal political committee.

Name of Employer  
Vivance

Occupation

Executive Vice President

Receipt For:

☐ Primary

☐ General

☐ Other (specify) ▼

Aggregate Year-to-Date ▼

.00

Date of Receipt

06 / 26 / 2001

Amount of Each Receipt this Period

500.00

to Tammy Baldwin by Contr-  
ibutor Check  
(MEMO ITEM)

Transaction ID: SA11A1.5254

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

10000.00

