



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Richard Herber, Treasurer
Elections Committee of the County of Orange
1700 E Garry Street Suite 211
Santa Ana, CA 92705

SEP 12 2001

Identification Number: C00192302

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

Dear Mr. Herber:

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:

-Please provide the total(s) for Line 8, Column B of the Summary Page. Note that changes in your figures may affect your Column B totals on this report and/or on subsequent reports.

-Line 6(a) of the Summary Page represents the total cash-on-hand as of January 1, 2000. This figure should be identical to the ending cash of the Year End Report of the previous year. Please amend your report to clarify this discrepancy.

-Line 11(a)(i) of the Detailed Summary Page of your report discloses a total of \$18,208.03 in Contributions From Individuals/Persons Other Than Political Committees. The sum of the entries itemized on Schedule A for Line 11(a)(i), however, indicates the total to be \$19,708.03. Please amend your report to clarify the discrepancy.

-Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of

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employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

You must provide the missing information, or 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))

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 written request or an oral request documented in writing. (11 CFR § 104.7(b)(2))
The request 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 shall 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 provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

-You have received a contribution from "H.E.R.E", which appears to be an

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unincorporated proprietorship or partnership. Generally, these types of contributions are to be attributed to each person based on their percentage of ownership in the firm. Each person who has contributed in excess of \$200 since January 1 should be identified by name, address, occupation, name of employer, amount of contribution, and aggregate total on Schedule A. 11 CFR §110.1(k) Please amend your report by providing the omitted information.

-Schedule A of your report (pertinent portions 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.

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.

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

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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 black ink that reads "Jim Krebs". The signature is written in a cursive style with a large, looped initial "J".

Jim Krebs
Reports Analyst
Reports Analysis Division

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SCHEDULE A

ITEMIZED RECEIPTS

Contributions from Other Political Committees

Use separate schedule(s) for each category of the Detailed Summary Page (07/01/2000 - 04/30/2000)	PAGE	OF
	1	1
FOR LINE NUMBER		11(c)

Any information copied from such Reports and Statements may not be able 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)
 ELECTIONS COMMITTEE OF THE COUNTY OF ORANGE CD0192302

A. Full Name, Mailing Address and ZIP Code California Teachers Association 1795 Murchison Drive Burlingame, CA 94010 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	09/03/2000	1,500.00
Aggregate Year-to-Date > \$		1,500.00	
B. Full Name, Mailing Address and ZIP Code Eleanor Roosevelt Democratic Club Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	09/03/2000	150.00
Aggregate Year-to-Date > \$		150.00	
C. Full Name, Mailing Address and ZIP Code CISEN/OC Orange, CA Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	09/03/2000 09/24/2000	300.00 300.00
Aggregate Year-to-Date > \$		600.00	
D. Full Name, Mailing Address and ZIP Code Hilbert for Assembly Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	09/18/2000	150.00
Aggregate Year-to-Date > \$		150.00	
E. Full Name, Mailing Address and ZIP Code LB Leshjan and Gay Pride P.O. Box 2050 Long Beach, CA 90801 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	09/18/2000	300.00
Aggregate Year-to-Date > \$		300.00	
F. Full Name, Mailing Address and ZIP Code PPLAG Orange County Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	09/03/2000 09/18/2000	150.00 300.00
Aggregate Year-to-Date > \$		450.00	
G. Full Name, Mailing Address and ZIP Code Pride at Work Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation	09/03/2000	150.00
Aggregate Year-to-Date > \$		150.00	

SUBTOTAL of Receipts This Page (optional)	3,300.00
TOTAL This Period (last page this line number only)	3,300.00

