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2001 SEP -6 P 2:03

James Zanengo
Certified Public Accountant
Box 407
Berkeley Heights, NJ 07922
(908) 305-4689
izanengo@aol.com

September 4, 2001

Mr. John D. Gibson
Reports Analyst Division
Federal Election Commission
Washington, DC 20463

Re: Campaign Fund Don DiFrancesco
C00338277

Dear Mr. Gibson-

We have received your notices dated August 8 and 30, 2001, copies of which are enclosed for your convenience.

We understand that there are regulations that must be followed; however, from a practical basis our only recourse is to request a refund. Is this all your office expects from us at this time? Kindly remember that even if we do receive a refund, which I believe is highly doubtful, we have no checking account in which to deposit the refund in that our PAC is dissolved. Surely there must be some deminimis clause in the regulations that allow us some flexibility in this situation.

Do you still want us to request a refund? Do you want a copy of the request sent to your office?

Thank you for your prompt attention to this matter, we apologize for any inconvenience we may have caused.

Sincerely,


James Zanengo



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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2001 SEP -6 P 2: 03

RQ-3

August 30, 2001

James Zanengo, Treasurer
Campaign Fund of Don DiFrancesco
P.O. Box 407
Berkely Heights, NJ 07922

Identification Number: C00338277

Reference: July Quarterly Report (4/1/00-6/30/00)

Dear Mr. Zanengo:

On August 8, 2001, you were notified that a review of the above-referenced report(s) raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act.

Your August 16, 2001, response is incomplete because you have not provided all the requested information. For this response to be considered adequate, the following information is still required.

-A review of Commission records indicate that the Gormley for Senate Primary Election Fund is still a registered federal Committee. Since it appears that you have made an excessive contribution to this committee you still need to take corrective action. You should *request* a refund of the amount in excess of the \$1,000 per election contribution limit. If a refund is received it should be reported on Schedule A supporting Line 16 of the report covering the period during which they are received. Please clarify any corrective action taken with regards to this contribution.

An adequate response must be received at the Commission by September 19, 2001. 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.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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RQ-2

2001 SEP -6 P 2:03

James Zanengo, Treasurer
Campaign Fund of Don DiFrancesco
P.O. Box 407
Berkely Heights, NJ 07922

AUG 8 2001

Identification Number: C00338277

Reference: July Quarterly Report (4/1/00-6/30/00)

Dear Mr. Zanengo:

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 B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) precludes a non-multicandidate political committee and its affiliates, from making a contribution to a candidate for federal office in excess of \$1,000 per election. Please refer to the Campaign Guide for information on how a committee qualifies for multicandidate status.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If you have made an excessive contribution, you should notify the recipient and request a refund of the amount in excess of \$1,000 and/or notify the recipient in writing of your redesignation of the contribution. In the best interest of your committee, all refunds and redesignations should be made within sixty days of the treasurer's receipt of the contribution(s).

If your committee has met the criteria for multicandidate status, please file FEC FORM 1M "Notification of Multicandidate Status" with the Commission. The treasurer must file FEC FORM 1M prior to making a contribution of more than \$1,000 per candidate per election. 11 CFR

Federal Election Commission

**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

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