



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

NOV 23 1994

Jay Brim, Treasurer
Travis County Democratic Party
505-B West Lynn
Austin, TX 78703

Identification Number: C00257519

Reference: October Quarterly Report (7/1/94-9/30/94)

Dear Mr. Brim:

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 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. 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.

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

-The beginning cash balance of this report should equal the ending balance of your 1993 Mid-Year report. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.

-Your report discloses a negative ending cash balance of \$-3,515.96. This suggests that you have either overdrawn your account, made a mathematical error, or incurred a debt. If your committee has incurred a debt or obligation, please show a zero balance on Line 8 of the Summary Page and reflect the amount and the nature of the debt on Schedule D and Line 10. 2 U.S.C. §434(b)(8)

-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 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)

-You have received a contribution from Alfred Stanley & Associates, which appears to be an 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.

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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.

-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Transfers from affiliated/other party committees should be properly disclosed on a separate Schedule A, supporting Line 12 of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule E of your report to clarify the following descriptions: judicial tribute and Walk Lists. For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

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,


J.P. Andre
Reports Analyst
Reports Analysis Division

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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)

TRAVIS COUNTY DEMOCRATIC PARTY

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| A. Full Name, Mailing Address and ZIP Code | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
|---|-------------------------------|---------------------------------------|------------------------------------|
| Southern Union Gas Co 504 Lavaca, Suite 900 Austin, TX 78701 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Gas Utility Co. Occupation | 9/6/94 Aggregate Year-to-Date > \$ | 500.00 |
| Jolene Gustafson, 8102 East Court Austin, TX 78759 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Attorney Occupation | 9/2/94 Aggregate Year-to-Date > \$ | 250.00 |
| George R. James, Jr. Spec Acct 5400 Mountain Cedar Cv Austin, TX 78731 Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Attorney Occupation | 9/8/94 Aggregate Year-to-Date > \$ | 500.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$ | Amount of Each Receipt this Period | Amount of Each Receipt this Period |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$ | Amount of Each Receipt this Period | Amount of Each Receipt this Period |
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| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$ | Amount of Each Receipt this Period | Amount of Each Receipt this Period |

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| SUBTOTAL of Receipts This Page (optional) | \$ 1,250.00 |
| TOTAL This Period (last page this line number only) | \$ 7,250.00 |

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