



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

March 9, 2011

ERNIE PEREZ, TREASURER  
BORDER HEALTH FEDERAL PAC  
1210 W EXPRESSWAY 83, SUITE 10  
PHARR, TX 78577

**Response Due Date**  
**04/13/2011**

IDENTIFICATION NUMBER: C00415752

REFERENCE: 30 DAY POST-GENERAL REPORT (10/01/2010 - 11/22/2010)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 3 item(s):

1. Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the 2010 Primary and General elections; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which

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they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

**2.** Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) prohibits a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

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

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

**3.** Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) prohibits a multicandidate committee and its affiliates from making a contribution to a national political party in excess of \$15,000 in a calendar

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year.

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

If you have made an excessive contribution, you must notify the recipient and request a refund of the amount in excess of \$15,000. The refund of the excessive amount must be made within sixty (60) days of receipt of the contribution.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

Although the Commission may take further legal action concerning the excessive contribution(s), prompt action in obtaining a refund will be taken into consideration.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. 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. **Requests for extensions of time in which to respond will not be considered.**

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 or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1141.

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Sincerely,

A handwritten signature in black ink that reads "Daniel Buckley". The signature is written in a cursive style with a prominent initial "D" and a long, sweeping underline.

Daniel Buckley  
Senior Campaign Finance Analyst  
Reports Analysis Division

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## Contribution After Primary Election Date:

Recipient Name	Date	Amount	Election	Election State - Date
JOE LINUS BARTON	10/04/10	\$5,000	P-2010	TX – 03/02/10
MARCO RUBIO	10/15/10	\$5,000	P-2010	FL – 08/24/10

## Contribution After General Election Date:

Recipient Name	Date	Amount	Election	General Election Date
BECERRA FOR CONGRESS	11/03/10	\$5,000	G-2010	11/02/10
TRAVIS W CHILDERS	11/03/10	\$2,000	G-2010	11/02/10
MR. FRANK M KRATOVIL, JR	11/03/10	\$1,500	G-2010	11/02/10
LEVIN FOR CONGRESS	11/03/10	\$5,000	G-2010	11/02/10
WILLIAM OWENS	11/03/10	\$1,000	G-2010	11/02/10
SILVESTRE REYES	11/03/10	\$5,000	G-2010	11/02/10
BENNIE G.THOMPSON	11/03/10	\$5,000	G-2010	11/02/10
MARY JO KILROY	11/04/10	\$1,000	G-2010	11/02/10
CHRIS VAN HOLLEN	11/04/10	\$1,000	G-2010	11/02/10
STEVEN LEO DRIEHAUS	11/05/10	\$1,000	G-2010	11/02/10
HON JOHN MCKEE SPRATT, JR	11/05/10	\$2,500	G-2010	11/02/10
G K BUTTERFIELD	11/08/10	\$1,500	G-2010	11/02/10
MR. MICHAEL E. MCMAHON	11/08/10	\$5,000	G-2010	11/02/10
CHARLES B RANGEL	11/08/10	\$5,000	G-2010	11/02/10
A.B. CHANDLER, III	11/09/10	\$2,000	G-2010	11/02/10
GRACE NAPOLITANO	11/15/10	\$5,000	G-2010	11/02/10

## Excessive Contribution To a Candidate:

Recipient Name	Date	Amount	Election	Report
HENRY R CUELLAR	09/02/09	\$5,000	G-2010*	2009 October Quarterly
HENRY R CUELLAR	10/26/10	\$5,000	G2010	2010 30 Day Post-General
JOE LINUS BARTON	7/20/09	\$5,000	P-2010	2009 October Quarterly
JOE LINUS BARTON	10/04/10	\$5,000	P-2010	2010 30 Day Post-General

\*Schedule B of your report discloses this contribution as designated to the 2009 General election; however, this candidate did not participate in a General election in 2009. Therefore, this contribution has been attributed to the next scheduled Federal General election for this candidate, the 2010 General.

## Excessive Contribution To a National Party Committee:

<b>Recipient Name</b>	<b>Date</b>	<b>Amount</b>	<b>Report</b>
NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE	09/28/10	\$15,000	2010 October Quarterly
NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE	10/21/10	\$15,000	2010 30 Day Post-General