



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

RQ-2

Samuel S. M. Wai, Treasurer  
American Crystal Sugar Company Political  
Action Committee  
101 North Third Street  
Moorhead, MN 56560

MAY 05 2003

Identification Number: C00110338

Reference: 30 Day Post-General Report (10/17/02-11/25/02)

Dear Mr. Wai:

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:

-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 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.

-Schedule A supporting Line 11(a)(i) of your report discloses contributions received through what appears to be a payroll deduction plan. Please amend your report to disclose the amount and frequency of deduction. 11 CFR §104.8(b) Please refer to the enclosed sample of properly reported payroll deductions.

A response or 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, 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 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,



Kristen R. Davis  
Campaign Finance Analyst  
Reports Analysis Division

**SCHEDULE A (FEC Form 30)**  
**ITEMIZED RECEIPTS**

Use separate schedules for each category of the following primary types

 FCR Limit Schedule: PAGE 1 of 2  
 (FEC Form 30)

Any contribution called "in-kind" (things and services) may not be used at all or may be used in the exercise of spending authority for the commercial purpose, other than using the name and address of the donor, to make contributions to other candidates, party or committee.

|  |  |  |  |
|--|--|--|--|
| NAME OF COMMITTEE OR FUND<br><b>Critical Reason, Inc. PFC</b>  |  | Date of Receipt<br>[ ] [ ] [ ] [ ] [ ] [ ]                 |  |
| Full Name (Last, First, Middle Initial)<br><b>Kate, Kenneth</b>  |  | Amount of Each Payment (See Form)<br><b>\$0.00</b>         |  |
| Mailing Address<br><b>9 Critique Ave.<br/>Kew-Forest<br/>Queens<br/>New York 11367</b>   |  | Frequency of Payment<br><b>(\$15 biweekly)<sup>1</sup></b> |  |
| FEC ID number of candidate for whom payment is made<br><b>C</b>  |  |  |  |
| Name of Employer<br><b>Critical Reason, Inc.</b>   |  | Occupation<br><b>Executive Officer</b>                     |  |
| Receipt For:<br><input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) <sup>2</sup> |  | Appropriation Year-to-Date <sup>3</sup><br><b>285.00</b>   |  |

<sup>1</sup>Adding Extra Text/Explanation: When using FSCFile electronic filing software, this information can be entered using the "memo text" window. To make a "memo text" entry, select the "View" menu on the FSCFile toolbar. Select "All Transactions" (single click) (highlight) the transaction to which the "memo text" will be attached. Then select the "Edit" menu on the toolbar and select "memo text."

<sup>2</sup>When using FSCFile electronic filing software, enter this information in the "description" field.

### Payroll Deductions

Once an individual's deductions aggregate over \$200 in a calendar year, report the total amount deducted from the donor's paychecks during the reporting period on Schedule A. In parentheses indicate the amount that was deducted each pay period. Instead of stating a specific date of receipt, type "payroll deduction" under "Date." The other itemized information, including the year-to-date total, must be completed for each donor. 104.B(b).

**EXAMPLE:** During an election year, a corporate manager authorizes her employer to deduct \$15 per pay period (each pay period is two weeks) for the company's SSF. The SSF, which files FEC reports on a quarterly schedule, includes the manager's first-quarter contributions (\$90 for six pay periods) as "unitemized contributions" on Line 11(a)(ii) in the April quarterly report.

By June 30 (the closing date for the July quarterly report), 12 pay periods have passed, and the manager's aggregate contributions are \$180—still below the \$200 itemization threshold. The manager's second-quarter contributions again are included in "unitemized contributions" in the July report.

By September 30 (the closing date for the October quarterly report), 18 pay periods have passed, and the manager's contributions reach \$270. Now the committee itemizes the total contributions received from the manager during the third quarter (\$90), providing the year-to-date total in the appropriate space (See Item A in the illustration above.)

