

 **he Republican Party**
of San Diego County

Ronald Nehring, Chairman

March 15, 2006

Lawrence H. Norton, Esq.
General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

MUR # 5719

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2006 MAR 17 P 12:00

Re: Complaint against Francine Busby for Congress

Dear Mr. Norton:

On behalf of the San Diego Republican Party and the California Republican Party, we respectfully file this complaint against Francine Busby for Congress, the principal campaign committee for Francine Busby, a candidate for the U.S. House of Representatives in California's 50th Congressional District, for alleged violations of federal law prohibiting the receipt of corporate in-kind contributions. The Commission has historically taken a dim view of the use of corporate resources in Federal elections. See MUR 5020 (Respondent Gormley for Senate Primary Election Fund, et al, total civil penalty of \$115,000) and MUR 5573 (Respondent Westar Energy, Inc., et al, total civil penalty of \$40,500).

As the Commission well knows, federal law prohibits corporate contributions to candidates running for Congress. 2 U.S.C. § 441(b) and 11 CFR § 114.2. Federal regulations also directly prohibit in-kind contributions from corporations to candidates for Congress. 11 CFR § 114.2(c).

Specifically in question is the existence of a virtually identical Busby biography/profile on both her campaign website and on the website of California State University San Marcos, a state university ("CSU - SM") CSU - SM also operates with an affiliated private, non-profit tax exempt foundation, the California State University San Marcos Foundation. The Foundation is a corporation organized under the laws of the State of California. The organization is tax exempt under Section 501(c)(3) of the Internal Revenue Code. For all relevant purposes here, CSU - SM and the Foundation are a corporation and an entity that established, financed, maintained, and controlled the corporation. The complainant is uncertain at this time whether CSU-SM or the Foundation actually paid for the website communication. Because the possible use of state government resources may be involved, the complaint also is being filed with the

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San Diego County District Attorney and the California Attorney General, who have jurisdiction to investigate and prosecute violations of California law.

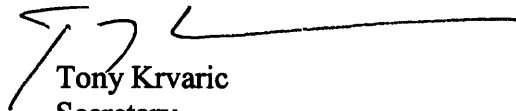
The website material run on both Busby's campaign website and the CSU – SM website are attached as Exhibit A and Exhibit B. The biographies offered on both sites provide a rundown of Busby's apparent accomplishments and qualifications, while endorsing her candidacy for the 50th District. Essentially, both biographies serve as advertisements for Busby's campaign. In fact, the heading for Busby's biography on Cal State's website is "Busby 2006 Fundraising Prospectus."

The use by both websites of Busby's identical biography raises a number of noteworthy issues. On one hand, if the Foundation's website was responsible for creating Busby's biography and provided it to Busby's campaign free of charge, it is a violation of federal law prohibiting corporate in-kind contributions. On the other hand, if Busby's campaign created the biography and transferred it to Cal State to post on its website, then, as a coordinated political expenditure, it puts the Foundation's tax status in jeopardy because of the biography's partisan nature. 11 CFR § 300.37 and 2 U.S.C. § 441i(d).

Moreover, there is no reference to any sort of receipt or disbursement to CSU – SM or the Foundation in Francine Busby's financial disclosures with the Commission. Regardless of which entity created the biography, Busby is required to disclose its transfer as either a receipt or disbursement, and she fails to do so.

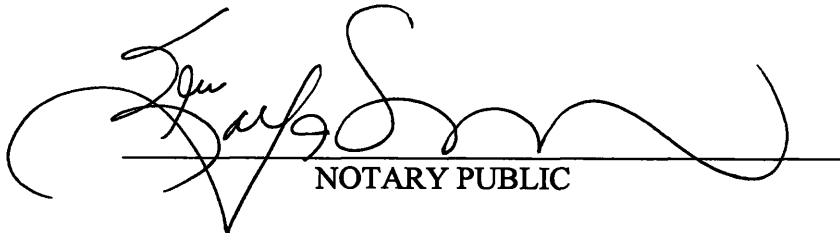
We respectfully request that the Commission investigate these issues, mandate the full disclosure of any corporate in-kind contributions, and penalize Francine Busby for Congress accordingly for any violations of the law.

Respectfully,



Tony Krvaric
Secretary
Republican Party of San Diego County























Sworn before me this 16th day of March, 2006.


NOTARY PUBLIC

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Index of /Womens_Studies/Fall 2005 info/Busby Website

Name	Last_modified	Size	Description
 Parent Directory	01-Dec-2005 13:26	-	
 Busby.html	01-Nov-2005 13:28	2k	
 Flyer.11-30-05.pdf	10-Nov-2005 13:00	84k	
 Francine Busby for Congress!.webloc	26-Sep-2005 13:23	1k	
 Francine Busby.doc	26-Sep-2005 13:23	49k	
 Leading.jpg	01-Nov-2005 13:28	150k	
 Nov 17/	06-Oct-2005 12:57	-	
 Nov 3/	26-Sep-2005 13:23	-	
 Oct 13/	26-Sep-2005 13:23	-	
 Oct 20/	26-Sep-2005 13:23	-	
 Oct 6/	26-Sep-2005 13:23	-	
 Sept 15/	26-Sep-2005 13:23	-	
 Sept 29/	26-Sep-2005 13:23	-	
 Sept 8/	26-Sep-2005 13:23	-	
 SpecialEvents.html	10-Nov-2005 13:00	1k	
 Strategic Plan/	10-Oct-2005 20:55	-	
 events.gif	27-Sep-2005 13:06	78k	
 women changing the world.thickbanner.jpg	26-Sep-2005 13:23	15k	
 women changing the world.thinbanner.jpg	26-Sep-2005 13:23	12k	
 women changing the world.web-background.jpg	26-Sep-2005 13:23	52k	
 women changing the world.web-watermark.300px.jpg	26-Sep-2005 13:23	5k	
 women changing the world.web-watermark.jpg	26-Sep-2005 13:23	21k	

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Apache/1.3.27 Server at www.csusm.edu Port 80



Cal State San Marcos

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- [Applications for Fall 2006 Increase .](#)
- [Biologist Named Fulbright Scholar](#)



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[In the Loop for Fac/Staff](#)

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Cal State San Marcos (North County San Diego)

CLIMB



Francine

Francine Busby is the Democratic candidate for congress in the 50th district.

A dynamic public official and innovative community leader, Francine Busby has built an impressive record of public service. From handling fiscal crises to mobilizing school bond measures and creating winning business and non-profit ventures, Francine has a reputation for listening to people and getting things done. A native Californian and second-generation Italian-American, Francine is passionate about the need to change the direction of our government. As a member of Congress, her priorities will be a strong national security, broader and better healthcare, responsible stewardship of our fiscal and natural resources, and effective public education.

A Strong Leader

Tackling tough challenges and producing solutions are Francine Busby's hallmarks. She is a catalyst for efforts that have greatly enhanced her community.

- Francine is currently an elected trustee on the Cardiff School District Governing Board, where she has served since 2000. During her term as President, Francine overcame a series of fiscal and personnel crises to secure some of the most financially stable and technologically advanced schools in San Diego County.
- Francine mobilized the community as manager of two campaigns to pass a school bond measure that resulted in construction of new and modernized schools for the first time in fifty years.
- While president of the Cardiff Education Foundation, she spearheaded a successful campaign that raised over \$450, 000 to enhance classroom technology and hire educational specialists.

Dedicated to Improving the Community

Due to her tireless efforts working with local community and civic organizations, Francine understands the needs of the people of the 50th Congressional District and is uniquely suited to work for them.

- Francine is an adjunct Professor of Women Studies at CSU San Marcos, where she works with students and faculty to empower young women to lead their communities.
- She has held leadership positions in the Parent Staff Organization, Friends of the Cardiff Library Board, Casa Teresa Guild, Girl Scouts of America and Soccer Club Board.
- She has been an active participant in organizations including the Cardiff Chamber of Commerce, San Elijo Lagoon Conservancy, League of Women Voters, San Diego Alliance for Drug Free Youth, California School Board Association and California Elected Women's Association for Education and Research, Institute for Peace & Justice at the University of San Diego, Sierra Club

Experienced Entrepreneur

Francine has put her skills and ideas to work in several successful business enterprises.

- She marketed and implemented Science Adventures, an enriched science curriculum and after-school program in San Diego County elementary schools.
- Combining her experience in travel and education, she established EducaTours, an educational tour company that taught students American history, and culture as well as multi-generational tours of Europe.
- At the Walt Disney Travel Company, she managed two departments. A specialist in domestic and international tourism, she worked in international marketing and trained group travel managers.

Raised in Southern California and a graduate of UC Irvine, Francine has lived in North San Diego County since 1988. She is married to David Busby and has two children, Maria and Michael. Her experiences and work as a community advocate and public trustee will enable her to truly represent the values and hopes of North County in Congress.

Francine's Story



Francine Busby is the Democratic candidate for congress in the 50th district

A dynamic public official and innovative community leader, Francine Busby has built an impressive record of public service. From handling fiscal crises to mobilizing school bond measures and creating winning business and non-profit ventures, Francine has a reputation for listening to people and getting things done. A native Californian and second-generation Italian-American, Francine is passionate about the need to change the direction of our government. As a member of Congress, her priorities will be a strong national security, broader and better healthcare, responsible stewardship of our fiscal and natural resources, and effective public education.

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CALIFORNIA'S 50TH DISTRICT

Francine Busby

For Congress

2006

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HELP FRANCINE BRING INTEGRITY
BACK TO THE U.S. CONGRESS

Contribute Today

become a
Citizen co-sponsor



Sign on to Francine Busby's Congressional Ethics Reform Proposal

- Ban All Outside Relationships With Government Contractors
- Ban Members from Promoting Specific Businesses for Government Contracts or Regulatory Favors
- Eliminate Anonymous Appropriations
- Ban All Privately Funded Junkets

Sign up to become a citizen co-sponsor!

BIOGRAPHY

A dynamic public official and innovative community leader, Francine Busby has built an impressive record of public service. As a school board member, she handled fiscal crises and worked to make Cardiff Schools among the most fiscally and academically sound in the state. She managed the campaigns to mobilize her community around school bond measures because she believes every child deserves a quality education. Francine has experience in both business and non-profit ventures. She has a reputation for listening to people and getting things done.

Francine's work includes serving as:



- Current elected trustee of the Cardiff School District Board
- Past President of the Cardiff Education Foundation where she lead the effort to raise \$450,000 for Cardiff Schools to improve technology in the classroom and hire educational specialists
- Founding President of the Casa Theresa Central Guild to provide assistance to pregnant women.
- Board Member of Friends of the Cardiff Library, Board Member of Cardiff Soccer Club, Past President of the Parent Staff Organization of the Cardiff School District and Scout Leader of Girl Scouts
- Active participant in organizations including Cardiff Chamber of Commerce, San Elijo Lagoon Conservancy, League of Women Voters, San Diego Alliance for Drug Free Youth, California School Board Association and California



Stay informed with "The Buzz" e-newsletter. Full of great information about Francine's campaign, and politics in general

Sign up Today!

Elected Women's Association for Education and Research.

Francine's professional experience reflects her varied interests and skills

- Francine enjoyed a career in international and domestic tourism and marketing as the group travel manager at the Walt Disney Travel Company.
- She expanded her knowledge of San Diego's diverse education community and provided science enrichment programs to schools throughout the county as program representative for Science Adventures.
- Francine is currently an adjunct Professor of Women's Studies at California State University, San Marcos.

Francine is a native Southern Californian and second generation Italian-American, whose family story reflects the American dream. Her grandparents arrived with nothing, worked hard to build a better life for their families and lived to see Francine graduate from UC Irvine, succeed in her career and start her family.

Francine has lived in Cardiff for 17 years with David, her husband of 27 years. They have two children, Michael and Maria.



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